

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JUNE 21, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, June 21, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meetings of May 17, 1949 and June 7, 1949 were read and approved.

The meeting was then turned over to a public hearing upon the confirmation of Local Improvement H-63, in accordance with notice published according to the provisions of the charter in the Coral Gables Riviera-Times. Several property owners were present, but no objections were made to the paving of Cortez Street in such Local Improvement district.

RESOLUTION NO. 3252

A RESOLUTION CONFIRMING LOCAL
IMPROVEMENT H-63.

WHEREAS, the Commission of the City of Coral Gables met at 8: o'clock P.M., June 21, 1949, pursuant to legal notice duly published in accordance with provisions of the charter of the city, to hear all objections presented by interested parties to the confirmation of Resolution No. 3247, adopted June 7, 1949 and ordering Local Improvement H-63, and to the plans, specifications and estimates of cost of such improvement; and

WHEREAS no objections were made to the paving of Cortez Street in such Improvement District;

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

That Resolution No. 3247 passed and adopted June 7, 1949 and entitled "A Resolution Ordering Local Improvement H-63", be and the same hereby is confirmed, and the cost of such improvement, except street intersections, shall be assessed against all lots and lands adjoining or abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The proposition of Mr. John Bouvier and/or Better Homes Investment Co. to extend the branch canal now dug in Block 24A, Riviera Section, through Blocks 25A and 26, Riviera Section, to its junction with the Coral Gables Waterway, at a full 100 foot width and to thereby eliminate the presently proposed bridge over such canal at Biltmore Drive, taken under advisement at the meeting of January 18, 1949, was brought up for discussion.

Mr. Leroy Farmer and other members of the Riviera Property Owners Associ-

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ation were presentation to object to the elimination of the bridge. The City Clerk noted that the Planning and Advisory Board at its meeting June 13, 1948, reiterated its objection to the elimination of the bridge.

Mr. Bouvier offered to convey certain areas to the City for park, canal and other purposes, and to pave certain streets, if the construction of the bridge was excused, and repeated the arguments previously presented by him as to the advantages of closing Biltmore Drive at that point. At the conclusion of the discussion the following resolution was presented and read;

RESOLUTION NO. 3253

A RESOLUTION AMENDING THE TERMS OF RESOLUTIONS 2661 AND 3071 BY ELIMINATING REQUIREMENT THAT A BRIDGE BE CONSTRUCTED OVER THE CANAL AT BILTMORE DRIVE, ON CERTAIN CONDITIONS EXPRESSED HEREIN.

WHEREAS, Better Homes Investment Co., by Resolution 2661 dated June 18, 1946, was granted permission to excavate the canal in Blocks 24A and 25A, Riviera Section, on condition (among other things) that said company construct the necessary bridge over the canal at Biltmore Drive after completion of such excavation; and the time of completion of said work was by Resolution 3071 passed and adopted July 6, 1948, extended to January 1, 1949; and

WHEREAS, Better Homes Investment Co., through its president, Mr. John Bouvier, has requested that the canal excavation in Block 24A, Riviera Section, be extended through Block 25A to its junction with the Coral Gables Waterway at a full 100 foot width, eliminating the proposed bridge over Biltmore Drive and closing Biltmore Drive at that point, and in return therefor has offered to convey certain land to the city for park, canal or other purposes, and to pave certain streets in the area; and

WHEREAS, the majority of the present residents of the area adjacent to the canal have approved and requested the closing of Biltmore Drive and the elimination of a bridge as above recited;

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

That Better Homes Investment Co. is hereby relieved of its obligation, as established by Resolutions 2661 and 3071, to construct a bridge over the canal to be excavated in Blocks 24A and 25A, Riviera Section, only on condition that said Better Homes Investment Co. performs or causes to be performed the following acts and things:

1. That all bonds, deposits and insurance required under said Resolutions 2661 and 3071 shall remain in full force and effect throughout the period of completion of excavation and work described herein, and written evidence of such extension of bonds, deposits and insurance shall be deposited forthwith with the city.

2. That Biltmore Drive shall be resurfaced, according to plans and specifications to be previously approved by the City Manager, from Granada Boulevard to and including its intersection with Avenue Jeronimo, and from Blue Road to and including its intersection with Riviera Drive, by or at the expense of Better Homes Investment Co., and to a width of 18 feet throughout.

3. That Avenue Cadagua shall be resurfaced from Blue Road to Riviera Drive, by or at the expense of Better Homes

Investment Co.

4. That Better Homes Investment Co. shall, prior to the excavation herein authorized, convey or cause to be conveyed by a deed to be approved by the City Attorney, to the City of Coral Gables for park, canal or other purposes, without reverter clause, the following described property all in Riviera Section Part 1, Coral Gables, according to the plat thereof filed in the Public Records of Dade County, Florida, Plat Book 28, Page 31:

- Lots 1 and 2, Block 26; Block 25A Block 24A;
- Lot 3 except the north 15 feet thereof, Block 25;

that good and merchantable title to such property with all taxes paid through the year 1948 shall be conveyed, and shall be shown by abstract or other acceptable evidence of title to be furnished at the expense of Better Homes Investment Co.; that 1949 county taxes shall be prorated to date of conveyance, and 1949 City of Coral Gables taxes shall be assumed by the city; it is agreed by the city that a perpetual easement for canal use shall be established in the canal as excavated or as it will be excavated in Blocks 24A, 25A and 26.

5. That the canal shall be excavated to a full 100 foot width as platted throughout said Block 24A, and to a full 100 width from said Block 24A through said Block 25A and 26 to its junction with the now existing Coral Gables Waterway, with location of canal excavation through Blocks 25A and 26 to be previously approved by the City Manager upon plans or surveys presented by Better Homes Investment Co.; said canal shall be excavated to a depth, throughout its full width, of not less than minus 8 feet mean low water, U.S.E. D. Bay Datum.

6. That the work of excavation shall be carried out in such manner and at such times as shall be approved by the City Manager, and no blasting shall be done except upon previous approval of the City Manager.

7. That cash deposits and surety bonds previously deposited with the city by the Better Homes Investment Co. shall be continued to guarantee clean-up of the area at the completion of such work herein authorized, and the completion of the work within the time specified by the Commission; the company shall post or cause to be posted with the city evidence of Contractor's Public Liability and Property Damage Insurance in an amount of not less than \$25,000 and covering work herein authorized, provided, that such insurance requirements may be waived by the City Manager in the event satisfactory evidence of similar insurance carried by any contractor doing such work is furnished the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3254

A RESOLUTION EXTENDING TIME OF COMPLETION OF CANAL EXCAVATION IN BLOCK 24A, 25A AND 26, RIVIERA SECTION.

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

That Better Homes Investment Co. is hereby granted an extension of time to October 1, 1949 for completion of canal excavation in Blocks 24A, 25A and 26, Riviera Section Part 1, pursuant to terms of Resolutions 2661 and 3071 as modified or amended by Resolution 3253 of this date; this extension is granted upon the express condition that all bonds, deposits and insurance required under said Resolutions 2661 and 3071 remain in full force and effect (with any necessary changes to comply with terms of Resolution 3253), or are extended or rewritten to cover, to the satisfaction of the City Attorney, the extended period for completion of the project as granted by this Resolution.

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Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that sealed bids had been requested and received June 20, 1949 for furnishing to the city four new buses of a seating capacity of 40 or more passengers each. He advised that bids had been received as follows:

<u>Make</u>	<u>Passenger Capacity</u>	<u>Price Per Bus, FOB Factory, Less Tires & Heaters</u>
Twin Coach	40	\$14,914.50
Mack	41	14,901.00
White (net)	40	14,345.00
ACF Brill	44	14,539.25
GMC	40	17,628.00

The City Manager explained that a deduction of \$630 per bus would be allowed by the Twin Coach Company as an adjustment for price increase met in the purchase of previous Twin Coach buses, and that the adjustment made the net cost of each Twin Coach bus \$14,284.50. He explained that it was necessary to order the new equipment now to insure delivery by September 1, when it would be needed to take over the University of Miami bus routes.

RESOLUTION NO. 3255

A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR 40 PASSENGER TWIN COACH BUSES.

WHEREAS, bids have been received for four buses having a capacity of 40 or more passengers each, and after credit for deductions allowed, the bid of Twin Coach Co. for four 40 passenger buses is low bid and fully meets specifications;

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

1. That the bid of the Twin Coach Company for four 40 passenger Twin Coach buses at a net price, after credit allowances, of \$14,284.50 each, FOB factory, less tires and heaters, is hereby accepted.

2. That the City Manager is hereby authorized to place an order for such buses to insure delivery by September 1, 1949 when such equipment will be needed; and the purchase of such buses, plus cost of delivery, shall be charged to the appropriation for the fiscal year beginning July 1, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager stated that bids had been requested and received on June 18, 1949 for a new truck and heavy duty tree crane unit, and that bids

for the truck had been received for the following makes of trucks; White, Reo, Autocar, International, Ford and Dodge. Several bidders were present and a lengthy discussion ensued as to whether or not certain of the trucks met the specifications.

Mr. Mayes moved that all bids be rejected and that new bids be requested within a range of specific minimum and maximum specifications. The motion was seconded by Mr. Hendrick. Mr. Mayes then withdrew this motion and moved the acceptance of the lowest priced bid meeting specifications. The motion failed for want of a second.

The City Manager recommended the purchase of any one of the following trucks, all of which met or exceeded specifications; White, Autocar or International. Mr. Hartnett moved, and Mr. Healy seconded the motion, that purchase of a truck be taken under advisement and that action upon acceptance of bids be deferred. The motion was adopted by the following roll call: "Yeas" - Mr. Hartnett, Mr. Healy, Mr. Hendrick and Mr. Phillips. "Nay" - Mr. Mayes.

The City Manager stated that two bids had been received for a heavy duty tree crane to complete the truck-crane assembly, and that both bids met specifications and were as follows:

Gaynon Iron Works - Gar Wood Crane	\$5,985.00
DeBoliac Truck Equipment Co. - DeBoliac Crane	6,120.00

He recommended the acceptance of the lower bid.

RESOLUTION NO. 3256

A RESOLUTION AUTHORIZING PURCHASE OF A GAR WOOD TREE CRANE.

WHEREAS, bids have been received for a tree crane, and the bid of Gaynon Iron Works for a Gar Wood tree crane or winch is the low bid and fully meets specifications;

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

That the bid of Gaynon Iron Works for a Gar Wood tree crane for a price of \$5,985.00, FOB Coral Gables, is hereby accepted, and the City Manager is hereby authorized to purchase such crane; such purchase price to include mounting of crane on truck furnished by city and delivery FOB Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Roy Page inquired concerning his proposition to offer the city a tract of approximately 10,466 square feet on the north side of Avenue Andalusia and west of Lots 25 to 28 inclusive, Block 4, Crafts Section, for use as an off-street parking area, in return for the vacation by the city of approximately 7,488 square

feet of the triangular tract platted as a street or park at the southwest corner of Douglas Road and Coral Way. Mr. Page was directed by the Commission to submit a definite proposition to the city in accordance with recommendations of the Planning and Advisory Board.

Mr. Ben Turner appeared before the Commission concerning his application to construct a Dutch Colonial type residence in Section C, Coral Gables. His application had been studied by the Board of Supervising Architects, and that Board had referred the matter to the Commission upon the question of whether an individual house of such type would be permitted throughout the city or whether such type home would be restricted to a special area zoned for such type homes. The Board of Architects had indicated that it felt that individual homes of such type would have to be considered as an exception, in view of policies established at the April 26, 1949 joint meeting of the Commission, Zoning Board, and Board of Architects. The Commission requested that the Zoning Board and Board of Supervising Architects meet with it at 4:30 P.M., Thursday, June 23, to consider the matter.

Superintendent of Transportation Smith informed the Commission that the South Miami Coach Line had requested a reduction in the franchise tax paid the City of Coral Gables on its Coral Gables routes, from 1% to .5% of fares. The Commission instructed Mr. Smith to ascertain whether or not the City of Miami would increase its rate of franchise tax charged the line in case the Coral Gables rate was reduced.

The City Manager requested approval of the installation of a 4000 lumen overhead street light on the east side of Ponce de Leon Boulevard south of Avenue Candia, no installation charge, and an operating charge of \$38.50 per year. The installation was approved.

The City Manager advised the Commission that he had received a notice from U.S.E.D. of a hearing to be held July 14th at Jacksonville, upon the need for blocks and dams in the Miami River. He noted that while such subject had no bearing upon the City of Coral Gables, it might have a future effect on later control of the Coral Gables canal. No action was taken.

The City Manager advised that the Tax Assessor had applied a 4% and 2% reduction, respectively, upon buildings constructed in 1947 and 1948 as an equalization adjustment, and that the total reduction in the 1949 tax roll would amount to \$101,920. The Commission approved the action of the Tax Assessor in that respect.

The City Manager advised that before Dade County would permit use for a soil pit of the 200 acres of land which the city has on option from Mr. William Walsh, a contract with the county was required, agreeing that the city would take certain steps after removal of top soil from the tract. The required action in-

cluded, among other things, the creation of a lake on the tract and dedication of the lake to the public, and an agreement that the city will complete its withdrawal of top soil within a specified period of years. The Commission directed the City Manager to inform the Dade County Commission that such an agreement would be generally agreeable, provided that the city be allowed a minimum of 15 years for use of the tract as soil pit.

The City Manager advised that the Chamber of Commerce Publicity Committee had approved payment of \$220.85 for expenses of the Poinciana Festival. Payment of that amount by the city was approved in accordance with previous authority given.

The City Manager advised that terms of members Renuart, Walters and Fincher of the Zoning Board of Appeals would expire June 30, 1949. Commissioner Hartnett suggested that appointments to all city boards be rotated by addition of one new member thereon at close of each term. Action was deferred.

The City Clerk advised that bids had been received from three agencies for public liability and property damage insurance on the bus system, and that such bids were being tabulated and would be presented to the Commission for later action.

RESOLUTION NO. 3257

A RESOLUTION CHANGING THE NAMES OF CERTAIN STREETS, AND NAMING A CERTAIN STREET.

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

1. That the names of the following streets within the City of Coral Gables be and the same hereby are changed as follows:

- Ferdinand Drive (as shown on plats of Country Club Sections 4 and 5, and Riviera Sections 5 and 6) to Alhambra Circle.
- Ferdinand Drive (as shown on plats of Country Club Section 4) to Alhambra Court.
- Venetia Court (as shown on plats of Granada Place) to Venetia Terrace.
- Campo Santo Court (as shown on plats of Riviera Section 4) to Campo Sano Court.
- Murray Street (as shown on plats of Tamiami Place Plan 2) to El Rado Street.
- 27th Street (as shown on plats of Tamiami Place Plan 2) to Avenue Venetia.
- 27th Street (as shown on plats of Tamiami Place Plan 3) to Venetia Terrace.
- Nina Street (as shown on plats of Country Club Section 4) to Alhambra Ct.

2. That the unnamed street in existence on the west 40 feet of Lots 1 to 21 inclusive, Block 1, Golden Gate Sub-division be and the same hereby is designated as LeJeune Court.

3. That Block 82, Granada Section, is hereby designated as Venetia Terrace.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" -

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Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3258

A RESOLUTION MAKING APPROPRIATIONS FOR
PURPOSES DESCRIBED HEREIN.

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

1. That there is hereby appropriated from the Special Benefit Fund and from unincumbered balances remaining in the special appropriation accounts for the fiscal year ending June 30, 1949 to the several appropriation accounts for said fiscal year as hereinbelow described, the following amounts.:

<u>ACCOUNT</u>	<u>TO (FROM)</u>
Special Benefit Fund	(\$18,732.34)
2420 City Hall	576.85
2431 Tax Assessor	128.81
2440 Parks Department	(1,779.46)
2443 Wastes Department	1,073.80
2471 Storm Damage	18,732.34
2482 Venetian Pool	1,176.63
2483 Biltmore Golf Course	(1,176.63)

2. That the Director of Finance is hereby authorized and directed to allocate the departmental appropriations and transfers hereby made to and among the items within the departments as established by the budget or by accounting changes and practice for the said fiscal year as needed; and to transfer unencumbered balances of any items within departments to other items within the same departments where the balance is insufficient.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3259

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meetings June 10 and 13, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of hotel on Block 30 (except the east 267 feet thereof), Country Club Section 2, said hotel to cover approximately 43% of total ground area instead of 35% as now zoned.

2. Permit construction of garage with servant quarters on Lot 3 and connecting with the present house on Lot 2 by a breeze-way, on Lots 2 and 3, Block 20, Granada Section.

3. Permit pressing machine in rear of west store (adjacent to alley) on Lot 27, Block 10 Crafts Section, such

machine to be used only in connection with tenant's tailoring business.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nay" - None.

RESOLUTION NO. 3260

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO APPROVE PLANS FOR ENCLOSING EXISTING WOODEN SCREEN PORCHES.

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

That the Public Works Department is hereby authorized to approve plans for the enclosing of existing wooden screen porches with CBS walls, and allowing existing wooden beams to remain, providing the plans are approved for design by the Board of Supervising Architects when necessary.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING PARAGRAPH ON (1) OF SECTION FORTY (40) OF ORDINANCE NO. ONE (1) ADOPTED AUGUST 3, 1925, ENTITLED: "AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA PRESCRIBING RULES AND REGULATIONS FOR THE ERECTION, REPAIR, REMOVAL AND DEMOLITION OF BUILDINGS IN SAID CITY; PROVIDING FOR THE SUBMISSION OF PLANS AND MAKING APPLICATION FOR PERMIT FOR ERECTING, REPAIRING OR REMOVING BUILDINGS: PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE" AS TO REQUIREMENTS AND SPECIFICATIONS FOR ROOFING MATERIAL; AND REPEALING ORDINANCE NO. 363 OF THE CITY OF CORAL GABLES, PREVIOUSLY AMENDATORY TO SAID SECTION.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPOINT MEMBERS TO A PROPOSED MASTER BOARD OF EXAMINERS OF ELECTRICIANS FOR VARIOUS QUALIFIED MEMBER MUNICIPALITIES IN DADE COUNTY; AND ADOPTING AND CONFIRMING RULES AND REGULATIONS FOR SAID BOARD AS SET OUT HEREIN.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mayor Phillips then relinquished the Chair to Vice Mayor Hendrick, and presented the following resolution:

RESOLUTION NO. 3261

A RESOLUTION RETAINING THE FIRM OF
PENTLAND, PURVIS, KELLER & CO. TO AUDIT
CITY RECORDS FOR THE FISCAL YEAR 1949-1950.

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

That the firm of Pentland, Purvis, Keller & Co. be and hereby is retained to audit the books, actions and accounts of the City of Coral Gables for the fiscal year ending June 30, 1950, at a fee of \$2,000 to be paid at such times and in such installments as the Director of Finance may determine, such fee to include an examination and audit of the accounts of the Coral Gables Retirement System for said period.

Motion for its adoption was made by Mr. Phillips and seconded by Mr. Mayes, and the motion was adopted by the following call: "Yeas" - Mr. Hartnett, Mr. Hendrick, Mr. Mayes and Mr. Phillips. "Nay" - Mr. Healy.

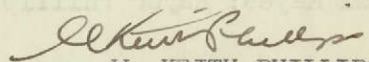
Mayor Phillips then resumed the Chair.

Mr. James B. Moore advised the city that the board of directors of the Retail Merchants Division of the Coral Gables Chamber of Commerce had at its recent meeting urged the Commission to take prompt action for construction of the new bus terminal and storm sewer system in the business area.

The City Manager advised that Mr. Sidney Hoehl expected a report from Mr. Francis T. Mylott, an accountant retained by the city to analyze and report on the Consumers Water Company rates, by June 30, 1949. The City Manager was requested to ask Mr. Hoehl to inform Mr. Mylott that the Commission considered June 30, 1949 as an absolute deadline for his report and that the city requested him to withdraw from the case if he could not make a report by that time.

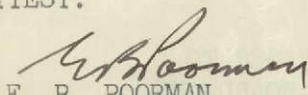
There being no other business the meeting was adjourned.

APPROVED:



W. KEITH PHILLIPS
MAYOR

ATTEST:


E. B. POORMAN
CITY CLERK

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JUNE 23, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 4:30 P.M., Thursday, June 23, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present. Also present were the following members of the Board of Supervising Architects (constituting the entire Board): Leroy K. Albert, H. George Fink, Howard B. Knight, Wm. H. Merriam and Edward T. Rempe Jr.; and the following members of the Zoning Board of Appeals: Thornton M. Fincher, A. O. Renuart, L. Gordon Walters and J. Allen Brown.

Mayor Phillips stated that an application for approval of plans of a Dutch colonial type home to be constructed in Section C of Coral Gables had recently been before the Board of Supervising Architects, and that the Board had referred the matter to the Commission for a decision as to the course to be followed in such case under the general policy agreement reached at a joint meeting of the Commission, Zoning Board and Board of Architects on April 26, 1949. He declared that the Commission had called this joint meeting to consider and clarify the April 26, 1949 statement of policy in regard to its application to individual cases such as the one now before the Board of Supervising Architects.

Chairman Fink of the Board of Architects explained that Board's decision upon the pending application, and its reason for referring the matter to the Commission as follows; It is the opinion of the Board of Supervising Architects that a Dutch Colonial design is not a "contemporary modification or gradual progress in design" of Mediterranean or other similarly harmonious type of architecture that would, under the April 26, 1949 statement of policy, permits its approval by the Board of Supervising Architects in individual cases; but that such design, in the opinion of the Board, amounts to a "broad or significant departure from the conventional Mediterranean style architecture" that should, under the stated policy, be confined to specific area especially zoned for such style. In accordance with this opinion, the Board of Supervising Architects felt that plans for Dutch Colonial type structures could not be approved in individual cases unless and until a specific exception was granted.

After discussion the matter was referred to the Zoning Board of Appeals for its recommendations of the interpretation of the policy promulgated on April 26, 1949 as it may be applied to the individual case in question.

The meeting was then turned over at 5:00 P.M. to a public hearing upon the budget and appropriation ordinance for the fiscal year beginning July 1, 1949,

pursuant to notices published in the Coral Gables Riviera-Times on June 16 and 20, 1949. Nine residents of the city were present at the hearing. Mayor Phillips read in full the report and recommendations of the Citizens' Tax Committee upon the budget estimate, and a general discussion followed of the report and of numerous items in the budget estimate. At the conclusion of the discussion Mayor Phillips thanked the citizens present for their interest as shown by their attendance at this hearing.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
W. KEITH PHILLIPS
MAYOR

ATTEST:

E. B. Poorman
E. B. POORMAN
CITY CLERK

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JUNE 29, 1949.

The Commission of the City of Coral Gables convened in special session at the City Hall at 8:00 o'clock P.M., Wednesday, June 29, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The City Manager advised the Commission that he had requested and had received informal bids on buses as follows:

Twin Coach Company, 34 passenger Twin Coach Demonstrator, \$9,000 FOB Coral Gables, less interior and exterior painting and tires.

Southern Ford Motor Coach Sales, 32 passenger Ford Motor Coach, \$7,975.00, FOB Coral Gables, less tires.

ACF-Brill Motors Co. ACF-Brill Model C-31B, 31 passenger bus, \$8,641, FOB factory, less tires.

The City Manager explained that the price of the Twin Coach bus was ordinarily around \$13,000, but that the city could purchase this demonstrator for the price above quoted. He further explained that the bus had been driven less than 30,000 miles and would be placed in new-bus condition at the factory. The City Manager stated that sufficient funds had been included in the budget for the year 1949-1950 to include the purchase of one small bus such as those bid.

RESOLUTION NO. 3262

A RESOLUTION AUTHORIZING THE PURCHASE OF A
32 OR 34 PASSENGER BUS.

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

1. That the City Manager be and he hereby is authorized to purchase either a 34 passenger Twin Coach demonstrator with Spicer Torque-Converter at a bid price of \$9,000, FOB Coral Gables, less painting and tires, or a 32 passenger Ford Motor Coach at a bid price of \$7,975, FOB Coral Gables, less tires, as he, in conjunction with Superintendent of Garage Truman Smith and Superintendent of Transportation Chester Smith, may decide.

2. That the necessary amount for the purchase of either such bus shall be charged to appropriation for that purpose provided for in the budget for the fiscal year beginning July 1, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3263

A RESOLUTION APPROPRIATING FOR CURRENT
EXPENDITURES FOR THE OPERATION OF THE CITY
BETWEEN JULY 1, 1949 AND THE DATE OF
ADOPTION OF THE APPROPRIATION ORDINANCE
FOR THE FISCAL YEAR 1949-1950.

WHEREAS, Section 32 of the City Charter prohibits passage of the appropriation ordinance for the fiscal year commencing July 1, 1949 sooner than one week after the beginning of the said fiscal year; and

WHEREAS, it is necessary that city functions continue without interruption, and the City Manager has recommended in writing that an appropriation be made for the current expenses of the city, chargeable to the appropriations for the year 1949-1950 when passed, to an amount sufficient to cover the necessary expenses of the city until the annual appropriation ordinance is in force.

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

That there is hereby appropriated an amount sufficient to cover the necessary expenses of the city from July 1, 1949 until the annual appropriation ordinance for the fiscal year 1949-1950 is in force, such appropriation to be charged to the appropriations for the year 1949-1950 when passed.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk noted receipt of a letter from the law firm of Pace and Ammerman, informing the city that under a decree of foreclosure in the case of Mueller v. Smith, et al, Circuit Court of Dade County, Case No. 46059, Lots 1 and 2, Block 4, Katie Biscayne Section would be sold at foreclosure sale Monday, July 4th. The City Clerk advised that the above lots lay across Ponce de Leon Boulevard (formerly University Concourse) just west of its intersection with LeJeune Road. The City Clerk was directed to notify the attorneys in the foreclosure suit that the city could make no decision at the present time concerning their offer to settle this mortgage lien, due to the illness of the City Attorney.

The City Manager notified the Commission that the Trial Board hearing on the dismissal of Henry G. Medlock was set for July 8th, and requested authority to retain an attorney to present the city's case, in the absence of the City Attorney. The City Manager and the Mayor were authorized to employ an attorney for presentation of the case before the Trial Board, and if necessary, before the Commission on appeal, at a total fee not to exceed \$250.00.

The City Clerk advised that bids for public liability and property damage insurance on city buses for the year beginning July 1, 1949 were not yet in final form, and that a delay in procuring of such insurance seemed necessary. He was directed to have insurance continued on buses on a binder basis pending final decision. The City Clerk was also directed to have the public liability and property damage insurance on Salvadore Park continued on a binder basis until a final decision could be made to the placing of such insurance for the coming year.

The meeting was then turned over to a discussion of numerous items in the budget estimate for the fiscal year July 1, 1949, after which the meeting was adjourned.

APPROVED:

W. Keith Phillips
W. KEITH PHILLIPS
MAYOR

ATTEST:

E. B. Poorman
E. B. POORMAN
CITY CLERK

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JULY 5, 1949.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday July 5, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Mr. H. W. Van Der Boeugh appeared before the Commission to request vacation of a portion of the alley in Block 199, Riviera Section, to enable construction of a building across the entire block at the corner of Miami-Homestead Highway and Red Road. He agreed to dedicate a new alley outlet in Lot 41 of said block.

ORDINANCE

AN ORDINANCE VACATING AND DISCONTINUING THAT CERTAIN 20 FOOT ALLEY RUNNING SOUTHWESTERLY AND NORTHEASTERLY IN BLOCK 199, RIVIERA SECTION PART 14, FROM RED ROAD TO THE NORTHEASTERLY BOUNDARY LINE OF LOT 3 IN SAID BLOCK EXTENDED, ACCORDING TO PLAT THEREOF FILED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TO PERMIT CONSTRUCTION OF A BUILDING OVER SAID ALLEY WHICH WOULD BE IMPOSSIBLE WITHOUT SUCH VACATION AND DISCONTINUANCE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Leo Frutkoff and Mr. George Clemmons appeared to object to a ruling of the Board of Supervising Architects denying permission for erection of a sign over the Mileo photo shop. The sign had been turned down because of the height of two of the letters therein. The Commission suggested that the matter be taken up again with the Board of Supervising Architects at its regular meeting July 7.

RESOLUTION NO. 3264

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting June 27, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted;

Permit use of Lots 15 through 21, Block 2, Industrial Section, for a period of three years from date of this resolution, for a pipe storage yard, provided that the said

property is enclosed by a cyclone type fence.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The question of placing public liability and property damage insurance upon city buses was discussed at length. The City Clerk advised that three bids for public liability insurance to limits of \$100,000 person, \$500,00 one accident, and property damage to limits of \$10,000, had been received and that such bids were as follows:

1. Coral Gables Insurance Inc., primary coverage to \$25/25/10,000 in New York Casualty Co., excess coverage over primary to limits of \$100/500,000 with Excess Underwriters, at a combined rate of 5.662% of gross fare receipts.
2. Green-Keyes-Vanderpool Agency Inc., public liability and property damage to limits of \$100/500/10,000 in Continental Casualty Co. at rate of 5.49% of gross fare receipts.
3. Henry P. Briggs Agency, Inc., primary coverage to \$25/25/10,000 in United States Casualty Co., and excess coverage over primary to limits of \$100/500,000 with Excess Underwriters, at a combined rate of 6.64% of gross fare receipts.

Mr. Briggs was present at the meeting and stated that he would match the bid of Coral Gables Insurance Co. At the conclusion of the discussion Commissioner Healy moved that the bid of the Coral Gables Insurance Co. be accepted. Motion failed because of lack of a second.

Commissioner Hendrick then moved that the bid of Henry P. Briggs Agency Inc. be accepted. The motion was seconded by Mr. Hartnett. The motion failed of adoption by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick. "Nays" - Commissioners Healy, Mayes and Mayor Phillips.

Commissioner Hartnett then moved that the bid of Green-Keyes-Vanderpool Agency Inc. be accepted. The motion was seconded by Commissioner Hendrick. The motion failed of adoption by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick. "Nays" - Commissioners Healy, Mayes and Mayor Phillips.

Commissioner Healy then offered and moved the adoption of the following resolution:

RESOLUTION NO. 3265

A RESOLUTION AUTHORIZING THE PLACING OF PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE FOR CITY BUSES.

WHEREAS, offers have been received from Coral Gables Insurance Inc., Henry P. Briggs Agency Inc. and Green-Keyes-Vanderpool Agency Inc., for public liability and property damage insurance coverage for city buses for the year beginning July 1, 1949; and

WHEREAS, to permit uninterrupted continuation of the present satisfactory claim adjustment service afforded by the New York Casualty Co., the bid of Coral Gables Insurance Inc. is hereby determined to be the most advantageous bid to the city;

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

That the proper officers of the city are hereby authorized and directed to secure public liability and property damage insurance for city owned and operated buses for the year beginning July 1, 1949, to limits of \$100/500/10,000 from Coral Gables Insurance Inc. in accordance with the bid of such agency as follows:

Primary coverage to the extent of \$25/25,000 public liability and \$10,000 property damage in New York Casualty Co., and excess coverage to limits of \$100/500,000, with Excess Underwriters, at a combined premium rate of 5.662% of gross fare receipts.

The resolution was seconded by Commissioner Hendrick, and the resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager brought to the attention of the Commission the bids received for a heavy duty truck for use in a truck-tree crane assembly unit, and stated that investigation made by him after the last Commission meeting had disclosed that the bids for Autocar and Reo trucks did not meet specifications. He declared that two bids did meet specification, to-wit:

White Model WC-22	\$5,539.22
International KB-11	5,921.98

The City Manager recommended the purchase of either of the above two trucks, stating that both fully met specifications and were capable of doing the work required. He noted that the International was the larger and more powerful truck.

RESOLUTION NO. 3266

A RESOLUTION AUTHORIZING PURCHASE OF INTERNATIONAL TRUCK.

WHEREAS, bids have been received for a truck for use in a truck-tree crane assembly, and bids of Nolan Brown Motors Inc. for a White truck Model WC-22, and of Howe E. Moredock Co. for an international truck Model KB-11, both meet specifications; and

WHEREAS, because of the fact that the International truck is a larger and more powerful unit than the White Truck, the bid of Howe E. Moredock Co. is hereby determined to be the most advantageous bid for the city;

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

That the bid of Howe E. Moredock Co. for an International Model KB-11 truck for a price of \$5,921.98, FOB Coral Gables, is hereby accepted and the City Manager is hereby authorized to purchase such truck.

Motion for its adoption was made by Commissioner Hartnett, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Mayor Phillips. "Nays" - Commissioners Hendrick and Mayes.

Mr. Ben Turner appeared before the Commission to appeal a ruling of the Zoning Board, made at its June 27, 1949 meeting, whereby the Zoning Board recommended that Dutch Colonial type architecture be permitted only in an area set aside for such type architecture. Mr. Turner explained that he had filed no written notice of appeal because no persons had appeared before the Zoning Board to object to the permitting of such type architecture as an individual exception. Mr. Turner presented photographs of numerous homes in Coral Gables which he claimed to be deviations from the Mediterranean style, and stated that he felt an individual exception should be granted to permit a Dutch Colonial style residence in view of the already presently existing wide variations.

RESOLUTION NO. 3267

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

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

That the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be and the same hereby is granted:

Permit construction of Dutch Colonial type residence on Lots 12 and 13, Block 9, Section C, provided that no objections to such architectural style are received from owners of the adjoining and facing properties, and provided plans therefor are approved by the Board of Supervising Architects.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. The resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayor Phillips. "Nays" - Commissioners Hartnett and Mayes. Inasmuch as a vote of four members of the Commission is necessary to overrule a recommendation of the Zoning Board, Commissioner Mayes then requested and received permission to change his vote to "Yea", and did so change his vote. The resolution was therefore adopted by a vote of four "Yeas" and one "Nay".

Mr. Ben Turner then presented to the Commission a petition signed by 14 property owners in the vicinity of DeSoto Plaza, objecting to the proposed construction of a hotel in Block 30, Country Club Section 2, to the erection of any structure fronting on Granada Boulevard having a setback of less than 50 feet, or covering more than 35% ground area, and to the construction of any structure in Block 30, County Club Section 2, in which or from which liquor may be sold for

consumption on or off the premises. The petition requested a public hearing on the above matters. The City Manager pointed out that Block 30, Country Club Section 2, was designated as apartment-hotel site by original deed restrictions dating from approximately 1926, and it had been continued as apartment-hotel zoning through all zoning ordinances of the city. He further called the attention of the Commission to the fact that front setbacks in apartment-hotel areas are established at a minimum of 15 feet, although the proposed hotel on this site had a 35 foot setback from Granada Boulevard. It was noted that an exception permitting coverage of 43% of ground area, instead of 35% as now zoned, was granted for Block 30, Country Club Section 2, by Resolution No. 3259 passed and adopted June 21, 1949. Inasmuch as the ordinances of the city do not call for a public hearing upon the one exception granted, no further action was taken on the petition.

The City Manager noted the receipt of a letter from Mr. Page concerning the proposed trade of an off-street parking site for vacation of part of the triangular tract platted as a street or parkway at the southwest corner of Douglas Road and Coral Way. The City Manager stated that he had not yet received an appraisal of the area requested to be vacated, and the matter was deferred until such an appraisal was received.

RESOLUTION NO. 3268

A RESOLUTION AMENDING RESOLUTION NO. 2879 PASSED AND ADOPTED JUNE 15, 1947 BY REDUCING THE PERMIT FEES TO BE PAID BY SOUTH MIAMI COACH LINE INC. UPON OPERATIONS WITHIN THE CITY OF CORAL GABLES.

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

That Resolution No. 2879 passed and adopted July 15, 1947 be and the same hereby is amended, by the reduction of the amount of permit or fees to be paid to the City of Coral Gables by the South Miami Coach Line Inc. for operations within the City of Coral Gables from 1% of its gross receipts from fares collected on runs into and through the city to .5% of gross receipts from all fares collected from its operations into and through the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager called attention again to the fact that the terms of all members of the Board of Supervising Architects expired June 30, 1949, and that the terms of three members of the Zoning Board of Appeals expired June 30, 1949. Commissioner Hartnett again suggested that appointments to these and other city

boards be rotated by the addition of at least one new member at the close of each term, and suggested that the member to be replaced by such policy be determined by lot. Other members of the Commission expressed the opinion that while such a policy would meet their approval, it should not be adopted at the close of the terms of office of present members of the boards. It was recommended that Section 24 of the Zoning Ordinance be amended to provide for staggered 2-year terms of members of the Board of Supervising Architects, and that appointments to such board be deferred until such amending ordinance could be adopted and put into effect. The same amendment was recommended for Section 25 of the Zoning Ordinance concerning terms of members of the Zoning Board of Appeals.

The City Manager presented proposed plans for improvements to the Granada Golf Course involving the removal of the fence along North Greenway Drive and Granada Boulevard, the rounding of the corner at Granada Boulevard and North Greenway Drive, and the construction of curbing at the edge of the parkway approximately 6 feet inward from the present fence lines. He advised that there was sufficient money in the current budget to start this improvement program this year, although completion of the program might have to be deferred until next year. The Commission approved the general plan. During the discussion the City Manager was requested to urge the Coral Gables Country Club to pave Lots 37 and 38, Block 32, Section B, now used as a parking lot.

The City Manager advised that it appeared possible to secure a grant from the Federal Works Administration for the preparation of architectural plans for the proposed new bus terminal, in a similar manner as a grant was advanced by the same agency for preparation of plans for the storm and sanitary systems. He was authorized to make application for a grant for such purpose.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271
 PASSED AND ADOPTED FEBRUARY 16, 1937
 AND KNOWN AS THE "ZONING ORDINANCE", AS
 TO ZONING REQUIREMENTS OF LOTS 3 THROUGH
 12, BLOCK 98, LOTS 17 THROUGH 26, BLOCK
 98, AND LOTS 3 THROUGH 12, BLOCK 101,
 RIVIERA SECTION; AND REPEALING ALL
 ORDINANCES OR PARTS OF ORDINANCES IN
 CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 8 AND 9, BLOCK 6, INDUSTRIAL SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call; "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

An ordinance passed on first reading June 21, 1949, authorizing the City Manager to appoint members to a proposed master board of examiners of electricians for various member municipalities in Dade County, was brought up for discussion, and action thereon was deferred pending an opinion from the City Attorney.

ORDINANCE 607

AN ORDINANCE AMENDING PARAGRAPH ONE (1) OF SECTION FROM (40) OF ORDINANCE NO. ONE(1) ADOPTED AUGUST 3, 1925, ENTITLED: "AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, PRESCRIBING RULES AND REGULATIONS FOR THE ERECTION, REPAIR, REMOVAL AND DEMOLITION OF BUILDINGS IN SAID CITY; PROVIDING FOR THE SUBMISSION OF PLANS AND MAKING APPLICATION FOR PERMIT FOR ERECTING, REPAIRING OR REMOVING BUILDINGS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE" AS TO REQUIREMENTS AND SPECIFICATIONS FOR ROOFING MATERIAL; AND REPEALING ORDINANCE NO. 363 OF THE CITY OF CORAL GABLES, PREVIOUSLY AMENDATORY TO SAID SECTION.

which was read by title and adopted on first reading June 21, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Whereupon Mayor Phillips declared the ordinance duly passed and adopted, and ordered its publication as Ordinance No. 607.

RESOLUTION NO. 3269

A RESOLUTION AUTHORIZING TRANSFER OF BEVERAGE VENDOR'S LICENSE.

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

That the transfer of beverage vendor's license, permitting sale of alcoholic beverages containing not more than 14% of alcohol by weight, not for consumption on the premises, heretofore issued to Leslie Fairmont and Miriam Levy, d/b/a Supreme Super Stores, to Harry Doctor and Betty Doctor, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation

RECORDED

upon receipt of any unfavorable criminal record of the transferees.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3270

A RESOLUTION COMMENDING AND THANKING THE CITIZENS TAX COMMITTEE FOR THEIR STUDY AND ASSISTANCE IN PREPARATION OF THE 1949-1950 BUDGET.

WHEREAS The Citizens Tax Committee, whose membership consists of C. T. McCreedy, Chairman, J. Cleve Allen, J. R. Younger, Frank N. Holley Jr., Donald Peck and Ed. Rogers, did at the request of the Commission make a thorough study of the City Manager's budget estimate for the fiscal year 1949-1950 and has presented a full and complete recommendation and report thereon to the City Commission;

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

That this Commission hereby expresses its appreciation to the Citizens Tax Committee for their conscientious and thorough study of the budget estimate for the fiscal year 1949-1950, and for their recommendations concerning the final adoption of the budget and appropriation ordinance for such fiscal year.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3271

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 Florida National Bank at Coral Gables, and the Central Hanover Bank and Trust Company, of the City of New York, be and they are hereby designated as depositories for the monies of the several funds of the City of Coral Gables, Florida, and the Director of Finance, or his duly appointed assistants, be and they are hereby authorized to deposit said monies in any or all of said depositories upon being adequately secured with collateral as required hereby. Upon making any such deposit, the Director of Finance shall require that the depository file with him or in the name of the City of Coral Gables in the custody of some responsible third party, preferably an established bank or trust company, securities of the United States Treasury or of agencies or corporations of or established by the United States Government, of a par or market value, whichever shall be the lower, equal to or in excess of the amount of monies of the City of Coral Gables on deposit in

any such depository; and the Director of Finance is further authorized to release such collateral, or portions thereof, whenever it shall be found that the amount of collateral as defined above is in excess of the deposits secured thereby; provided, however, that the provisions hereof as to the filing of collateral for deposits shall not, until otherwise ordered, apply to monies deposited with the Central Hanover Bank and Trust Company of New York City for the payment of interest coupons or other service of the Issue of July 1, 1944, Refunding bonds, or to monies deposited in said Bank for the payment of dividends upon Tax Participation Certificates of the Issue of January 1, 1937.

2. That such depositories be and they are hereby authorized to make payments from monies of the City of Coral Gables on deposit therein upon and according to checks and drafts of the City of Coral Gables signed by W. T. McIlwain, as City Manager, and countersigned by E. B. Poorman, as Director of Finance; and the said W. T. McIlwain and E. B. Poorman, 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; provided, also, that the City Manager and the Director of Finance are hereby authorized to use a Todd Protectograph check signer for their signatures, in lieu of natural signatures, on such city checks and documents as they may deem advisable, and the depositories herein named are hereby requested, authorized and directed to honor all checks, drafts or other orders for the payment of money drawn in the name of the city upon any of its accounts, including the Tax Participation Certificate Fund Account, and including checks, drafts, or other orders for the payment of money drawn to the individual order of any person or persons whose names appear thereon as signer or signers hereof, when bearing or purporting to bear the facsimile signature (by impression of Protectograph check signer) of both of the following:

W. T. McIlwain, City Manager
E. B. Poorman, Director of Finance,

upon being furnished with an impression of such check signer duly certified by the Director of Finance.

3. That the provisions and authorization herein contained shall become effective upon the passage of this resolution and shall supersede all previous authorizations for the signing and countersigning of city checks and other cash instruments, and shall remain in effect until it shall be otherwise ordered by the Commission of the City of Coral Gables.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Superintendent of Public Works Robinson requested a ruling from the Commission concerning an application of the Friendly Bar, 309 Coral Way, to place a Schlitz Beer sign on the front window of such bar. Mr. Robinson noted that trade names of national products have been permitted to be used in signs where such product was the principal business of the merchant desiring the sign. The Commission approved such sign in the present case, provided that the sign will be constructed and placed in accordance with the model photographs exhibited.

Commissioner Hendrick noted that Mr. Frederick Lewis had complained to him concerning the widespread practice of placing "Open for Inspection" signs on homes for sale in Coral Gables and concerning the practice of having numerous homes open for inspection on Sundays. Commissioner Hartnett stated that the board of directors of the Coral Gables Realty Board had recently questioned the profuse use of "Open for Inspection" signs, and had requested its members to refrain from use of such signs unless a house was actually open and a salesman present. The City Manager noted that the present policy of the city was against the display of such signs except where salesmen were actually in attendance.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
W. KEITH PHILLIPS
 MAYOR

ATTEST:

E. B. Poorman
E. B. POORMAN
 CITY CLERK

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JULY 19, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, July 19, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present. Also present was Mr. W. G. Ward, Acting City Attorney in the absence of Mr. Semple.

The minutes of the regular meetings of June 21 and July 5, 1949, and of the special meetings of June 23 and 29, 1949, were approved as read.

Dr. Horace Cartee appeared before the Commission to complain of lack of sufficient notice to the public of the change in the Industrial bus line route. The City Manager noted that the change had been necessary to meet the needs of the University of Miami summer school and the reduction of South Miami Coach Line operations. Dr. Cartee also requested consideration of a limited bus service south on Riviera Drive to Cocoplum Plaza, and north on Granada Boulevard and on South Alhambra Circle. The City Manager stated that he would give consideration to such route.

Mrs. Charles Federman, 717 University Drive, appeared to complain of the heavy growth of foliage on the premises of Col. S. G. Shartle at 711 University Drive, alleging that the condition was causing infections among members of her family. The City Manager stated that he would write Colonel Shartle and seek permission to trim out some of the undergrowth.

Dr. Reinhold P. Wolff of the University of Miami appeared to request financial assistance from the city in support of the Ponce High School Band. The Commission stated that it would discuss with the Chamber of Commerce the possible allocation of money to the band from the publicity fund.

Mr. Roy Page appeared concerning his offer to deed to the city a tract of land on Avenue Andalusia in return for vacation of the parkway at the southwest corner of Douglas Road and Coral Way. After discussion the following resolution was presented and read:

RESOLUTION NO. 3272

A RESOLUTION AUTHORIZING THE VACATION OF PARKWAY AREA AT SOUTHWEST CORNER OF DOUGLAS ROAD AND CORAL WAY IN RETURN FOR DEED TO CITY OF TRACT OF LAND ON AVENUE ANDALUSIA, AND PRESCRIBING CONDITIONS OF SUCH TRANSACTION.

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

1. That the offer of Mr. Roy Page to convey to the city a fee simple title without reverter clause, of a tract of approximately 10,466 square feet on the north side of Avenue Andalusia, being Lots 31 to 34 inclusive and the west 4 feet of Lot 30, Block 4, Crafts Section (less such land as is necessary to provide angle turn for alley), in return for the vacation by the city of approximately 7,488 square feet of the triangular tract platted as a street or parkway at the southwest corner of Douglas Road and Coral Way, is hereby accepted under the following conditions:

- (a) That a replat of the easterly end of said Block 4 shall be prepared by the owner thereof, showing the relocation of alley and the vacation above authorized.
- (b) That before the transaction above authorized is completed, a definite plan for a substantial building to be constructed at the southwest corner of Douglas Road and Coral Way be submitted and approved by the City Commission.
- (c) That the plan above as effected shall leave a parkway area at the southwest corner of Douglas Road and Coral Way of approximate equal size to the parkway area on the north side of Coral Way.

2. That the City Attorney and City Manager are hereby directed to prepare all necessary documents to complete the transaction as above outlined.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Joe Pennell and Mr. L. L. Mears, speaking for themselves and the Association of Plumbing Contractors, appeared to urge that the Commission increase the salary of the plumbing inspector, Joe Dunne. The Commission thanked the speakers for their interest, and promised that the matter will be given its careful consideration.

Mr. L. Gordon Walters appeared to invite the Commission to have representatives present at the next scheduled meeting of the Dade County Federation of Civic Associations, to be held July 28 at 8:00 P.M. in the Chamber of Commerce Building, Coral Gables. Mr. Walters noted that the information of this organization had been spearheaded by the Riviera Property Owners Association and other Coral Gables citizens, and stated that the Federation appeared to be in a very sound and growing condition. The Commission expressed its approval and willingness to support the objects of the association.

Mr. Bowman Hinckley presented a petition to the Commission, signed by the owner and tenants of the Renuart Arcade Building, requesting prompt action in the elimination of the Flood water conditions at the corner of Ponce de Leon Boulevard and Alhambra Circle. Mr. Hinckley was informed that some 500 feet of additional drainage sumps had been recently completed in that area to alleviate the condition temporarily, and that plans were progressing as rapidly as possible toward the storm water sewer system which should solve the entire

problem.

The following resolution was presented and read:

RESOLUTION NO. 3273

A RESOLUTION ACCEPTING AND CONFIRMING THE
TAX ROLL FOR THE YEAR 1949.

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

That the 1949 tax roll of the City of Coral Gables as prepared and assessed by the City Tax Assessor, and as adjusted by the City Commission of this city, sitting as a Board of Equalization pursuant to charter provisions, is hereby accepted and confirmed as a basis for the levy of ad valorem taxes for the year 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 608

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, 1949; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 608.

ORDINANCE NO. 609

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1950; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSES OF SERVICING THE DEBT AND MEETING THE OPERATING REQUIREMENTS; PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS OF THE SEVERAL LEVIES; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy,

seconded by Commissioner Hartnett, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 609.

ORDINANCE NO. 610

AN ORDINANCE LEVYING A TAX FOR THE YEAR BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1950 FOR THE PURPOSE OF DEFRAYING EXTRA-ORDINARY EXPENSES RESULTING FROM STORM, HURRICANE, AND/OR OTHER ACTS OF GOD; PROVIDING FOR THE PAYMENT OF THE PROCEEDS OF SUCH TAX INTO THE "SPECIAL BENEFITS FUND" AND FOR THE DISBURSEMENT THEREFROM; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas"- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 610.

The City Manager stated that he had been negotiating with the Florida Power and Light Co. concerning change in rate basis for power furnished the Fire and Police Station, Fire and Police Station, City Hall, Venetian Pool and Equipment Yard. He noted that the City Hall and Equipment Yard were presently on a general service rate (permitting adjustments from standard rate schedules based on fuel oil and commodity indices) and that the Venetian Pool was on a waterpumping and general service rate (permitting adjustments from standard rate schedule based on cost of fuel oil). He advised that while such contract was ordinarily made by the Florida Power and Light Co. only a five year basis, the company had offered to enter into a contract with the city allowing commercial service rates for the above four locations on a one year basis, with automatic extension privileges. He explained that a commercial service rate permitted adjustments from standard rate schedules based solely on cost

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of fuel oil, and declared that such change in rate basis should save the city from five to six hundred dollars a year. The Commission authorized the City Manager to execute the contract with the Florida Power and Light Co. on a one year basis with automatic extension privilege, placing the three properties above on a commercial service rate.

RESOLUTION NO. 3274

A RESOLUTION CONCERNING THE PUBLIC HEARING BEFORE THE FLORIDA RAILROAD AND PUBLIC UTILITIES COMMISSION, ORDER NO. 2310, DOCKET NO. 1696 WITH REFERENCE TO THE PRESENT FLORIDA EAST COAST RAILWAY STATION LOCATED IN MIAMI.

WHEREAS, it is known that the Florida Railroad and Public Utilities Commission is holding a public hearing in Miami, Florida, in connection with Docket No. 1696, concerning the adequacy and possible relocation of the railway facilities maintained in the City of Miami by the Florida East Coast Railway Company; and

WHEREAS, it is considered opinion of this Commission that the present railway passenger station and facilities are totally inadequate for the needs of the Dade County area, including Coral Gables, served by this passenger station;

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

That the City Commission of the City of Coral Gables, Florida, respectfully petitions the Florida Railroad and Public Utilities Commission to use all possible efforts to secure adequate railway passenger station facilities for this area; and that adequate facilities are necessary for the continued growth and welfare of the area.

Motion for its adoption was made by Commissioners Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 611

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 3 THROUGH 12, BLOCK 98, LOTS 17 THROUGH 26, BLOCK 98, AND LOTS 3 THROUGH 12, BLOCK 101, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading July 5, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and

ordered its publication as Ordinance No. 611.

ORDINANCE NO. 612

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 8 AND 9, BLOCK 6, INDUSTRIAL SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading July 5, 1949, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas"-- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 612.

The City Clerk presented an application from the Rah Rah Eat Shoppe, 2728 Ponce de Leon Boulevard, for a retail beverage store license for sale of beer and wine on the premises. The City Clerk noted that Chapter 25753, Acts of 1949, provided that the city had the power to issue beer and wine licenses to bona fide restaurants or eating places with seating capacity of not less than 50 persons, without regard to population limit. The City Clerk requested the Commission to establish a policy as to the meaning of "bona fide restaurants or eating places", stating that he believed it was not the intent of the law to permit beer and wine licenses to sundries stores having lunch counters. Mr. Ward advised the Commission that when words were not defined in the state law the Commission had the power to define and construe such words by ordinance. The City attorney was requested to prepare an ordinance for passage at the earliest opportunity, defining "bona fide restaurants" as places where the principal business consists of dispensing and serving food to be consumed on the premises.

RESOLUTION NO. 3275

A RESOLUTION AUTHORIZING ISSUANCE OF A RETAIL BEVERAGE STORE LICENSE TO RAH RAH EAT SHOPPE.

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

That the issuance of a beverage store license to the Rah Rah Eat Shoppe, 2728 Ponce de Leon Boulevard, permitting the sale of alcoholic beverages containing not more than 14% of alcohol by weight, for consumption on the premises, is hereby authorized, subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record upon the owners of such business.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3276

A RESOLUTION AUTHORIZING TRANSFER OF BEVERAGE VENDOR'S LICENSE.

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

That the transfer of beverage vendor's license, permitting sale of alcoholic beverages containing not more than 14% of alcohol by weight, not for consumption on the premises, heretofore issued to Raymond Gruber d/b/a Paragon Sundries, 5132 S. W. 8th Street, to A. T. Jones d/b/a Paragon Sundries, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3277

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL PACKAGE STORE LICENSE.

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

That the transfer of retail package store license heretofore issued to Harry Regal d/b/a Pops Liquor Store, 3804 S. W. 8th Street, to Harry Danziger, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record upon the transferee.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk informed the Commission that proposals for ^{comprehensive} insurance bids would be offered to various insurance agencies at 2:00 o'clock, July 20, 1949.

A proposed ordinance amending Sections 24 and 25 of the Zoning Ordinance to provide staggered two year terms for members of the Board of Supervising Architects and Zoning Board, and pertaining to powers and duties of and procedure before such boards, was considered and deferred until a later meeting.

The City Manager advised that a lengthy report had been received from Mr. Francis T. Mylott in setting forth the result of his study of Consumers Water Co. rates. He suggested that the Commission set a time for a special meeting to

discuss and study this report and to take whatever action is deemed advisable in the matter.

RESOLUTION NO. 3278

A RESOLUTION CALLING A SPECIAL MEETING FOR 5:00 O'CLOCK P.M., TUESDAY, JULY 26, 1949.

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

That a special meeting of the City Commission is hereby called for 5:00 o'clock P.M, Tuesday, July 26, 1949 for the purpose of consideration of the report of Mr. Francis T. Mylott upon the Consumers Water Co., rates, and for the purpose of determining action to be taken on the rule heretofore entered against the Consumers Water Co. to show cause why water rates and charges should not be reduced in the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Mayor and Commissioners expressed their appreciation to Mr. Ward for his services at this meeting in the absence of City Attorney Semple.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
W. KEITH PHILLIPS
MAYOR

ATTEST:

E. B. Poorman
E. B. POORMAN
CITY CLERK

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MINUTES OF THE SPECIAL MEETING
OF THE CITY COMMISSION
JULY 26, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M., Tuesday, July 26, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present. Also present were Mr. W. G. Ward as Acting City Attorney, Mr. W. F. Brown as Special Attorney representing the City in the case of Mr. Henry G. Medlock, Mr. H. E. Keating, Manager, Consumers Water Company, Coral Gables, Mr. F. Burton Smith, President, Consumers Water Company, and Mr. Sidney S. Hoehl as Special Attorney of the City for the Consumers Water Company rate hearings.

Mayor Phillips presented to the Commission copies of Mr. Hoehl's report summarizing and approving the previously submitted report of Mr. Francis T. Mylott, public utility accountant and consultant, on the subject of the operations, rate schedules and the rate base of Consumers Water Company, together with copies of three resolutions recommended for adoption by Mr. Hoehl.

Mr. Hoehl's report was studied and discussed by the Commission and found to be acceptable. The resolutions presented by Mr. Hoehl were discussed and found generally acceptable, except as to the resolution requiring the Company to file its financial statements with the City Clerk. This resolution was then revised to be in accord with the present practises of the Consumers Water Company in the preparation of financial statements in order to avoid causing the Company any hardship.

RESOLUTION NO. 3279

A RESOLUTION RESCINDING AND ANNULLING ORDER REQUIRING CONSUMERS WATER COMPANY TO SHOW CAUSE WHY RATES AND CHARGES FOR WATER SERVICE SHOULD NOT BE REDUCED; DISCHARGING AND RELEASING CONSUMERS WATER COMPANY AND UNITED STATES CASUALTY COMPANY FROM LIABILITY UNDER THE INDEMNITY BOND HEREIN DESCRIBED.

WHEREAS, under the provisions of Resolution No. 3115, passed and adopted on September 23, 1948, Consumers Water Company was ordered to show cause why rates and other charges charged and collected by said Company since August 1, 1948, for rendering water service within the corporate limits of the City of Coral Gables, should not be reduced upon the ground that such rates and charges were excessive; and

WHEREAS, under the provisions of Resolution No. 3165, passed and adopted on January 11, 1949, Consumers Water Company, as Principal, and United States Casualty Company, as Surety, executed and filed with the City Clerk on January 26, 1949, an indemnity bond in the amount of \$30,000, conditioned upon the refund to all customers of Consumers Water Company of such charges and collections since August 1, 1948, as would be adjudged to be in excess of just and reasonable rates and charges

for rendering such water service; and

WHEREAS representatives of the City have made an investigation as to the reasonableness of such rates and charges, and as a result of such investigation have determined and have advised the Commission that such rates and charges are not excessive but, in fact, are just and reasonable;

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

1. That the order provided for in Resolution No. 3115, passed and adopted on September 23, 1948, requiring Consumers Water Company to show cause why the rates and charges charged and collected by said Company since August 1, 1948, for water service rendered within the corporate limits of the City of Coral Gables should not be reduced, is hereby rescinded and annulled.

2. That Consumers Water Company, as Principal, and United States Casualty Company, as Surety, are hereby discharged and released from any and all past, present and future liability under the indemnity bond executed by them and filed with the City Clerk on January 26, 1949, in accordance with the provisions of Resolution No. 3165, passed and adopted on January 11, 1949, said bond being in the amount of \$30,000 and conditioned upon the refund to all customers of Consumers Water Company of such charges and collections since August 1, 1948, as would be adjudged to be in excess of just and reasonable rates and charges for rendering water service with the corporate limits of the City of Coral Gables.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:
 "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips.
 "Nays" - None.

RESOLUTION NO. 3280

A RESOLUTION REQUIRING CONSUMERS WATER COMPANY TO FILE FINANCIAL STATEMENTS WITH THE CITY CLERK.

WHEREAS, it is desirable and in the public interest that information relating to the operations of Consumers Water Company shall be readily available at all times to representatives of the City for the purpose of enabling the City Commission to exercise its rate regulatory power efficiently;

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

1. That Consumers Water Company is hereby required to file with the City Clerk, within sixty (60) days after the end of each month, a copy of each such financial statement or statements for such month as said Company customarily prepares for the purpose of showing its operations during such month, as well as during the year to date, and shall also file with the City Clerk a copy of each such other financial statement or statements, quarterly, semi-annually or otherwise, as the Company prepares to reflect its operations or activities, each of such other statements to be filed within ten (10) days of the completion thereof.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:
 "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips.
 "Nays" - None.

RESOLUTION NO. 3281

A RESOLUTION REQUIRING CONSUMERS WATER COMPANY TO FILE WITH THE CITY CLERK THE RATE SCHEDULE AND TABULATION HEREIN DESCRIBED.

WHEREAS it has been brought to the attention of the Commission that, although the present rates and charges of Consumers Water Company for water service rendered in the City of Coral Gables are not excessive, such rates and charges are embodied in an outmoded type of rate schedule; and

WHEREAS the employment of such outmoded type of rate schedule permits customers to receive water without charge at intermediate points between the different rate steps, thereby according to such customers benefits and advantages not experienced by other customers; and

WHEREAS a recommendation has been made to the Commission that Consumers Water Company be required to employ, in lieu of such outmoded rate schedule, a block commodity type rate schedule which will produce approximately the same revenues as are being obtained through the employment of such outmoded rate schedule, and which will neither make provision for nor permit the use of water without charge by some customers to the disadvantage and detriment of all other customers; and

WHEREAS the Commission has also been informed that through the utilization of a bill analysis which Consumers Water Company has for the 12-months' period ending July 31, 1948, a comparison can readily be made of the revenues obtainable under such outmoded rate schedule and the revenues obtainable under such block commodity type rate schedule;

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

1. That Consumers Water Company is hereby required to file with the City Clerk, on or before September 1, 1949, a block commodity type rate schedule of water rates and charges, suitable for use in billing for water service rendered by such Company in the City of Coral Gables, together with a tabulation showing the revenues reflected by the application of the rates provided for by such schedule to the bill analysis which has heretofore been made of such Company's operations for the 12-months' period ending July 31, 1948.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager recommended that representatives of the Consumers Water Company confer with the City as to the form of their accounting records to be submitted so that the rate base may readily be tested. Mr. Keating assented to this request for the Consumers Water Company and the Commission indicated its approval.

Commissioner Hartnett suggested that an ordinance should be passed re-

quiring all utility companies to file a notice of any proposed rate change fifteen (15) days before the effective date of any such change. After discussion the matter was referred to the City Attorney for study.

RESOLUTION NO. 3282

A RESOLUTION GRANTING AN EXCEPTION
TO THE ZONING ORDINANCE.

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

That the following exception to the Zoning Ordinance is hereby granted.

Permit construction in Block 257, Riviera Section (Patterson Tract) of a boathouse having a flat built-up tar and gravel roof, as recommended by unanimous approval of the Coral Gables Zoning Board at their meeting of July 25, 1949.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:
"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
"Nays" - None.

Commissioner Hartnett made a motion for the approval of an exception to the Zoning Ordinance permitting construction of a wooden rail fence, with masonry posts, upon Lots 49 and 50 of Block 257, Riviera Section, previously denied by the Zoning Board. The motion failed for lack of a second. After discussion the Commission requested that a Zoning Board member be present at the next regular session of the Commission to discuss Dr. Gerson's application.

Mr. William Brown appeared before the Commission as Attorney for the City in the matter of the Henry G. Medlock dismissal hearings. He informed the Commission of the receipt of a letter signed by Mr. Webster G. Wallace as Attorney for Mr. Henry G. Medlock, dated July 19, 1949, requesting permission to appeal the verdict of the Coral Gables Trial Board rendered July 15, 1949, sustaining the dismissal of Mr. Medlock, and stating that both Attorney's Hollis G. Rinehart, Jr. and Webster G. Wallace desired to be heard by the Commission at such appeal hearing.

Acting City Attorney W. G. Ward stated that two courses were open to the City in conducting such a hearing. He stated that in order to abide by due process of law the Commission must either conduct such appeal hearing as a complete new hearing, or by study and investigation of the evidence as presented at the Trial Board hearings from a complete certified transcript of the notes of the court reporter employed to record the testimony presented at such hearings.

RESOLUTION NO. 3283

A RESOLUTION REQUIRING THE CITY CLERK OR THE DEPUTY CITY CLERK OF THE CITY OF CORAL GABLES TO PREPARE AND DISPATCH A LETTER NOTIFYING HENRY G. MEDLOCK AND HIS ATTORNEYS, WEBSTER G. WALLACE, AND MR. HOLLIS RINEHART, JR. OF THE TIME AND CONDITIONS OF THE COMMISSION HEARING OF THE REQUESTED APPEAL BY HENRY G. MEDLOCK FROM THE VERDICT OF THE CORAL GABLES TRIAL BOARD SUSTAINING HIS DISMISSAL.

WHEREAS, Section 22 of Chapter 23221 Special Acts of 1945 provides that a decision of the Trial Board "may be appealed to the City Commission", and further provides that "the City Commission may in their discretion conduct hearings, summon witnesses and hear evidence", and

WHEREAS, a letter has been received from Mr. Webster G. Wallace requesting the hearing of such an appeal from the verdict of the Coral Gables Trial Board rendered July 15, 1949 sustaining the dismissal of Mr. Henry G. Medlock.

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

That the City Clerk of the Deputy City Clerk prepare a letter to Mr. Webster G. Wallace and Mr. Hollis Rinehart, Jr., as Attorneys for Mr. Henry G. Medlock and dispatch the original of such letter to them and an additional copy to Mr. Henry G. Medlock, setting forth the following time and conditions for such hearing:

1. That such hearing shall be held at the City Hall in Coral Gables, Florida on Tuesday, September 13, 1949 at 8:00 o'clock P.M.

2. That Mr. Webster G. Wallace and Mr. Hollis Rinehart, Jr., Attorney's for Mr. Henry G. Medlock will be heard, as requested by them, at such hearing.

3. That the hearing will be conducted by study of the transcript of record of the testimony presented at the hearings of the Coral Gables Trial Board resulting in the verdict of the Trial Board rendered July 15, 1949 sustaining the dismissal of Mr. Henry G. Medlock.

4. That Mr. Henry G. Medlock be requested to furnish such certified transcript of record and that such transcript of record shall be in the possession of the City Clerk of the City of Coral Gables not later than August 31, 1949.

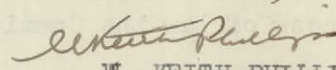
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips.

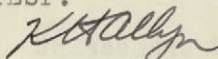
"Nays" - None.

There being no other business, the meeting was adjourned.

APPROVED:


W. KEITH PHILLIPS
MAYOR

ATTEST:



K. H. ALLYN
ACTING CITY CLERK

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
AUGUST 2, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, August 2, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy and Mayes present. Commissioner Hendrick absent.

The City Manager read a letter signed by Walter J. Pietruszka for Gables Taxi, Inc., Mr. Sam Weissel for Sam's Taxi and Baggage, Inc., and Mr. Julius Bauer III for University Cabs, requesting a revision of taxi rates as established by Resolution No. 2514, passed and adopted at the Commission meeting of August 21, 1949. Mr. Weissel appeared before the Commission to request that in addition to the revisions requested in the letter mentioned above, a rate of two dollars and fifty cents (\$2.50) for each hour of waiting time be established.

ORDINANCE NO. 613

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 459; FIXING AND ESTABLISHING THE RATE TO BE CHARGED FOR THE TRANSPORTATION OF PASSENGERS IN TAXICABS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commission Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 613.

Mr. Georges Milenoff and his attorney, Mr. Seymour J. Simon, appeared before the Commission to request the vacation of the alley in Block 18 of the Crafts Section of Coral Gables to permit the construction of a proposed open air theatre across this alley. The City Manager read a letter signed by Mr. Simon outlining a proposal by Mr. Milenoff to provide a method of ingress and egress from the alley to the east of the proposed wall of said theatre by deeding to the City of Coral Gables, Florida, free and clear of all encumbrances, Lot 30, Block 18, Craft Section of Coral Gables, and to provide a method of ingress and egress

from the alley to the west of the proposed wall of said theatre by deeding to the City of Coral Gables, free and clear of all encumbrances, Lot 3, Block 18, Crafts Section of Coral Gables. However, in the deeding of Lot 3, Mr. Milenoff requested that the city agree that at such time as he has control of Lots 1, 36, 37 and 38, the City will deed back to him the said Lot 3. The letter also stated that Mr. Milenoff was willing that a closing time limit of 11:30 P.M. for programs presented at the theatre be established as a condition of the issuance of a permit for operation of said theatre. The City Manager also stated that Mr. Milenoff had agreed to deed to the city an easement for sewer purposes at such time as this might be required.

Mayor Phillips questioned the advisability of entering into such an agreement on returning Lot 3 to Mr. Milenoff on the aforementioned terms due to the resulting permanent loss of the alley and the possibility of the dispersal of ownership of the property involved.

Acting City Attorney, W. G. Ward, suggested that the proposal be approved under a temporary permit without vacation of the alley.

The Commission directed Mr. Ward to confer with Mr. Simon and Mr. Milenoff to arrive at an agreement adopting the terms of said proposal in such a manner as to protect the city from loss of alley ingress and egress to the property concerned.

RESOLUTION NO. 3284

A RESOLUTION DIRECTING THE BUILDING INSPECTOR OF THE CITY OF CORAL GABLES TO ALLOW CONSTRUCTION OF A CONCRETE FLOOR ACROSS ALLEY IN BLOCK 18, CRAFTS SECTION, SUBJECT TO CERTAIN CONDITIONS.

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

That permission is hereby granted to Mr. Georges Milenoff to construct a concrete floor and walls across the alley in Block 18, Crafts Section, between Lots 2 to 8 inclusive thereof on the north, and Lots 30 to 35 inclusive thereof on the south, upon a temporary basis on condition of the previous execution of written agreement between Mr. Milenoff and the city, to be approved by the City Attorney, as to conditions pertaining to the closing of the alley as herein described.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Mr. Roy Page and Mr. M. B. Garris appeared before the Commission to present the replat of the southwest corner of Douglas Road and Coral Way as required by Resolution No. 3272 as passed and adopted at the meeting of July 19, 1949. After study, the Commission expressed disapproval of the plat as presented and

directed that a plat, revised in accord with the suggestions of the Commission, be presented for approval at a later meeting.

Mr. George Patterson appeared before the Commission to appeal the action of the Board of Architects in disapproving plans submitted for the construction of a proposed boathouse in Block 257 of the Riviera Section of Coral Gables. Mr. Fink, as a member of the Board of Architects, stated that the chief ground for disapproval of the plan by the Board of Architects was the exposed steel beam contrary to the building code of the city. He stated that, in his personal opinion, the boathouse would be more pleasing in appearance if constructed according to the changes recommended by the Board of Supervising Architects.

RESOLUTION NO. 3285

A RESOLUTION PERMITTING CONSTRUCTION OF
BOATHOUSE WITH EXPOSED STEEL GIRDER.

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

That permission is hereby granted for construction of a boathouse on the Patterson tract in Block 257, Riviera Section, having an exposed steel girder, provided that the girder is painted to match the walls and columns of the structure, and provided, further, that an 8 inch return is made upon the two columns facing the canal.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Mr. Sam Weissel appeared before the Commission to ask for direct Commission action approving exceptions to the Zoning Ordinance pertaining to a proposed store building and filling station due to the fact that no Zoning Board meetings have been scheduled during the month of August 1949. The Commission stated that action could be secured by filing an application with the Zoning Board.

RESOLUTION NO. 3286

A RESOLUTION GRANTING TEMPORARY PERMISSION
TO RETAIN A WOOD RAIL FENCE ALONG THE FRONT
PROPERTY LINE OF LOTS 49 AND 50, BLOCK 257,
RIVIERA SECTION.

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

That temporary permission is hereby granted to Dr. George Gersen to retain, as constructed, a wood rail fence, with masonry posts, along the front property line of Lots 49 and 50, Block 257, Riviera Section of Coral Gables, until such a time as the wood rails contained therein shall deteriorate, on condition that at such time said wood rails shall be replaced by precast concrete rails.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 21, 22, 23, 24 AND 25, BLOCK 95, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

The City Manager read a letter from the Greater Miami Traffic Association, Mr. Thomas E. Grady, Manager, requesting a donation to defray expenses of the association. The City Manager noted that the sum of \$250.00 was included in the budget for the 1949-1950 fiscal year for such a purpose. The Commission directed the City Manager to inform the association of this allowance and authorized the Director of Finance to pay this amount to the Greater Miami Traffic Association.

The City Manager then submitted a proposal to pave the parking lot lying immediately east of the Coral Gables Country Club (Lots 37 and 38, Block 32, Section B), to construct approximately 175 feet of curbing along Granada Boulevard west of the Country Club, and to make necessary repairs to the sidewalks around the club. He estimated the total cost of the project at \$1,455.00, and stated that the Country Club would agree to pay approximately \$700.00 of the cost of the project.

RESOLUTION NO. 3287

A RESOLUTION AUTHORIZING PAVING OF PARKING LOT AND OTHER CONSTRUCTION WORK AT COUNTRY CLUB OF CORAL GABLES, AND MAKING AN APPROPRIATION THEREFOR.

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

That the City Manager is hereby authorized to pave the Country Club of Coral Gables parking lot, being Lots 37 and 38, Block 32, Section B; to construct approximately 175 feet of curbing along the east side of Granada Boulevard adjoining the Country Club Building; and to have necessary repairs made to sidewalks around the club buildings at a net cost to the city of not to exceed \$755.00, and subject to an agreement by the Country Club of Coral Gables to reimburse the city for the balance of approximately \$700.00 of the cost of such project; that the necessary amount to defray the city's share of such expense is hereby appropriated from the General Contingent Fund of the city for the fiscal year ending June 30, 1950.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

The City Manager recommended that the Commission consider necessary ordinances requiring clearing and mowing of vacant lots. The Commission directed that such ordinances be prepared and presented to the Commission for consideration.

The City Manager read a letter from Elks Lodge of Coral Gables expressing appreciation for the use of the Biltmore Golf Course during their recent golf tournament. He also read a letter from the Coral Gables Library and signed by Miss Beaton expressing appreciation for the increase in the city donation to the library granted in the budget for the current fiscal year.

The City Manager read a letter from the Florida League of Municipalities requesting a contribution of \$75.00 to aid in defraying expenses of maintaining representatives at the approaching special session of the State Legislature at Tallahassee, Florida

RESOLUTION NO. 3288

A RESOLUTION AUTHORIZING AN APPROPRIATION
TO THE FLORIDA LEAGUE OF MUNICIPALITIES.

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

That the sum of \$75.00 is hereby appropriated from the General Contingent Fund to the Florida League of Municipalities to be used to defray the cost of maintaining an office at Tallahassee, Florida, during the approaching special session of the Florida State Legislature.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Ordinances pertaining to the appointment of members of the Board of Architects and the Zoning Board were discussed. The ordinances were referred to the City Attorney for further study and clarification.

The City Manager called attention of the Commission to a table present in the Commission Room and stated that it could be purchased at the cost of approximately \$85.00. The Commission expressed its approval of such purchase.

The proposal for the purchase of the 200 acre soil pit in Government Lot 1, between Townships 53 and 54 South, Range 39 East, Dade County, Florida, was discussed. The City Manager stated that the Board of Commissioners of Dade County and the city were in virtual agreement on the proposals as previously reported, but that the Board of Commissioners reported that the Everglades Drainage District had requested additional setbacks in soil pit operations. Acting City Attorney

Ward stated that he felt the request of the Everglades Drainage District might be ignored but that the new Flood Control Board might have powers affecting the proposal. The Commission instructed the City Manager and Acting City Attorney to proceed with present negotiations subject to determination of the effect of the new Flood Control laws as applied to the project.

The City Manager mentioned increasing delinquency in garbage fee collections. The Commission directed that steps be taken to more rigidly enforce the Garbage Ordinance.

RESOLUTION NO. 3289

A RESOLUTION REQUESTING THE DADE COUNTY COMMISSIONERS TO MAKE ALL POSSIBLE EFFORT TOWARD ESTABLISHING A GOLF COURSE FOR COLORED GOLFERS.

WHEREAS, the City of Miami, as owner and operator of the Miami Springs Golf Club, has reserved Monday of each week for the exclusive use of the club by colored golfers; and

WHEREAS, other municipally owned golf courses in Dade County may soon be forced to make similar arrangements; and

WHEREAS, such an eventuality would work an economic hardship on the courses affected, since there is an insufficient number of colored golfers in Dade County to justify the reservation of one day a week at each municipally owned course for their exclusive use;

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

1. That the Board of County Commissioners of Dade County, Florida, is respectfully requested to make all possible effort to establish a golf course for colored golfers.

2. That a copy of this resolution be sent to the Dade County Commissioners.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3290

A RESOLUTION AUTHORIZING TRANSFER OF BEVERAGE VENDOR'S LICENSE.

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

That the transfer of beverage vendor's license, permitting sale of alcoholic beverages containing not more than 14% alcohol by weight for consumption on the premises, heretofore issued to Dennis Murphy d/b/a Dennis Murphy Drugs, 1828-1880 Ponce de Leon Boulevard to Arthur Brown d/b/a Gables International Center, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" -

Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3291

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL
PACKAGE STORE LICENSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL

GABLES, FLORIDA:

That the transfer of retail package store license heretofore issued to Dennis Murphy d/b/a Dennis Murphy Drugs, 1828-1880 Ponce de Leon Boulevard to Arthur Brown d/b/a Dennis Murphy International Center Liquor Shoppe, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record upon the transferee.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Application of Henrietta Honig d/b/a Paramount Delicatessen, 1924 Ponce de Leon Boulevard for a beverage vendor's license was submitted but due to question as to distance from Coral Gables Elementary School was referred to the Zoning Office for recheck of zoning qualifications.

Application submitted by the Campus Restaurant Inc., 2800 Ponce de Leon Boulevard for a beverage vendor's license was submitted. The restaurant was found to be less than 300 feet from the building used by the University for symphony orchestra practice and as a classroom for the adult education woodworking class. Action on the application was deferred pending determination by the City Attorney of the status of the university building as a school.

ORDINANCE NO. 614

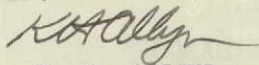
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPOINT MEMBERS TO A PROPOSED MASTER BOARD OF EXAMINERS OF ELECTRICIANS FOR VARIOUS QUALIFIED MEMBER MUNICIPALITIES AND DADE COUNTY; ADOPTING AND CONFIRMING RULES AND REGULATIONS FOR SAID BOARD AS SET OUT HEREIN.

which was read by title and adopted on first reading June 21, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

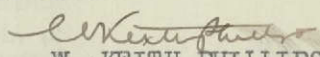
Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 614.

There being no other business the meeting was adjourned.

ATTEST:


K. H. ALLYN
ACTING CLERK

APPROVED:


W. KEITH PHILLIPS
MAYOR

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
AUGUST 16, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, August 16, 1949. Commissioners Hartnett, Healy and Mayes present. Absent, Commissioner Hendrick, Mayor Phillips. Commissioner Healy presided over the meeting.

Minutes of the regular meeting July 19, 1949 were approved as read.

The meeting was then turned over to a public hearing on Local Improvement H-62, in accordance with notice published in the Coral Gables Riviera-Times as provided by the charter. Mr. J. L. Townsend and Mr. M. Marger were present concerning the improvement, but made no objections to acceptance thereof. Mr. Hawley Russell informed the Commission that surface water was standing on Avenue Mercado. Mr. Robinson informed the Commission that ditches and drainage wells had been installed and that the measures taken should cause the storm water to drain off quickly.

RESOLUTION NO. 3292

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT DISTRICT H-62.

WHEREAS, by Resolution No. 3159 passed and adopted January 4, 1949, the Commission ordered Local Improvement H-62, and by Resolution No. 3174 passed and adopted February 1, 1949 said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the paving work in such improvement with Troup Bros. Inc., and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-62 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:
"Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 and KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 21, 22, 23, 24 AND 25, BLOCK 95, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was brought up for second reading. Mr. Robert Searles and Mr. George Edwards, representing Shell Oil Company, and Mr. Dave Phillips, representing Dixie Tire Company, objected to the passage of this ordinance on the ground that there were too many filling stations in the area at the present time. Consideration of the ordinance was tabled until a full Commission was present at a meeting.

Mr. J. Allen Brown and Mr. M. R. Harrison appeared concerning the recommendation of the Zoning Board at its August 8, 1949 meeting, recommending an amendment to the Zoning Ordinance to permit Dutch Colonial type houses in Block 45, Riviera Section. Mr. Robinson stated that the Board of Supervising Architects was hesitant to approve plans because of the wording of Section 12 (a) (7) of the Zoning Ordinance generally forbidding duplication of floor plan and similarity of elevation or exterior architectural design. Mr. W. G. Ward, Acting City Attorney, stated that in his opinion if Section 12 was amended to provide for Dutch Colonial type homes in Block 45 the Board of Supervising Architects would be justified in approving Dutch Colonial type plans for such block.

ORDINANCE

AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", PERMITTING DUTCH COLONIAL TYPE HOUSES IN BLOCK 45, RIVIERA SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

Mr. M. B. Garris, Mr. Roy Page and Mr. Louis Jacks appeared concerning a revised plat of the southwest corner of Douglas Road and Coral Way. The Commissioners present unanimously approved the modified plan presented by Mr. Garris, providing for a parkway at the southwest corner of such intersection with a maximum depth of 39 feet, and the matter was referred to the City Attorney for completion of the transaction according to terms of Resolution No. 3272, and for approval of the proposed plan of dedication.

RESOLUTION NO. 3293

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting August 8, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit erection of 6 foot chain link fence on Palos Street south to Avenue Sevilla, thence west to tie in southeast corner of convent building, in Block 6 and 7, Section D.

2. Permit construction of residence on Lots 1 and 2, Block 98, Riviera Section, containing 1200 square feet, instead of 1727 square feet, subject to final plans being approved by the Board of Supervising Architects and providing that the proposed car porte be converted to a garage.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

The City Clerk reported that bids had been received for comprehensive public liability and motor vehicle insurance. Such bids had been requested to be returned by August 15th. He stated that the Baldwin Agency desired to present a bid, but because of misunderstanding of conversation of the July 20th meeting held for bidders, had not presented their bid on time. The Commission declared that the Baldwin Agency bid should be received and that no information be made public on the bids until the additional bid was in. The City Clerk stated that he would present a tabulation of such bids at a later meeting.

The City Clerk called the attention of the Commission to the fact that the special legislative joint committee for study of taxation and revenue sources would hold a public hearing in Miami on August 19th. The City Clerk was directed to direct a letter to this committee, to the Governor, and to the members of the Dade County delegation of the legislature, pointing out the need for state aid to cities and requesting that any additional sources of revenue provided for the state in the coming session of the legislature be shared in just proportion with the cities.

The City Clerk presented a contract with the F.E.C. Railway Co. permitting the city to erect across the F.E.C. Railway at Orduna Drive, an overhead fire alarm wire.

RESOLUTION NO. 3294

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH F.E.C. RAILWAY CO. PERMITTING THE CITY TO ERECT OVERHEAD FIRE ALARM WIRE OVER RAILROAD RIGHT OF WAY AT ORDUNA DRIVE.

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

That the City Manager and City Clerk are hereby authorized to execute on behalf of the city a contract with Scott M. Loftin and John W. Martin, Trustees of the F. E. C. Railway Co., granting the city permission to erect an overhead fire alarm wire line over the F.E.C. Railway right of way at Orduna Drive, Coral Gables, such wire to be located not less than $31\frac{1}{2}$ feet above the main track, and such permission to be subject to cancellation on 30 days notice in writing by the trustees.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

The matter of the application for a retail beverage store license made by the Campus Restaurant Inc. was taken under consideration. The restaurant in question is situated within 300 feet of a building on Avenue Valencia, owned by the University of Miami and used for orchestra practice and adult wood working classes. Acting City Attorney Ward expressed the opinion that this building, used for such purposes, was not a "school" within the meaning of that term as used in distance regulations in the ordinance of the city.

RESOLUTION NO. 3295

A RESOLUTION AUTHORIZING ISSUANCE OF A
RETAIL BEVERAGE STORE LICENSE TO CAMPUS
RESTAURANT INC.

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

That the issuance of a retail beverage store license to the Campus Restaurant Inc., 2800 Ponce de Leon Boulevard, permitting sale of alcoholic beverages containing not more than 14% of alcohol by weight for consumption on the premises, is hereby authorized subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the owners of such business.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

The matter of the application of the Paramount Delicatessen, 1924 Ponce de Leon Boulevard, for a retail beverage store license was taken under consideration. Mr. Robinson reported that this restaurant was within 300 feet of the grounds of the Coral Gables Elementary School. Acting City Attorney Ward stated that under Florida Law, distance from a school was required to be measured as a pedestrian would walk from the premises in question to the nearest point of school property, not to the school building or to the door of the school building.

Inasmuch as the Paramount Delicatessen is within 300 feet of a school building, the application for a beer and wine license was denied on motion of Commissioner Mayes, seconded by Commissioner Hartnett and unanimously passed.

The City Clerk called attention of the Commission to the fact that Chapter 25749, Special Acts of 1949, formally gave the City Commission the power to appoint an Associate Judge of the Municipal Court of the city. Attorney Ward stated that it would be desirable that a formal reappointment be made of Associate Judge William Brown in view of the passage of this special statute.

RESOLUTION NO. 3296

A RESOLUTION APPOINTING AN ASSOCIATE JUDGE
OF THE MUNICIPAL COURT.

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

That Mr. William F. Brown be, and he hereby is,
appointed as Associate Judge of the Municipal Court of the
City of Coral Gables.

Motion for its adoption was made by Commissioner Mayes, seconded by
Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

The City Clerk advised that publication would be made for public
hearings for the acceptance of Local Improvement A-5 and for the confirmation
of the assessment roll in Local Improvement H-62, to be held at the regular
meeting of September 6th.

The City Clerk noted that a request had been received from the Central
Committee for the relief of earthquake sufferers in Ecuador, that the Commission
appoint a committee or a coordinator for the City of Coral Gables to work in
conjunction with the Central Committee in the Dade County Area. The Commission
named Mrs. Peter Nelson, 29 Alhambra Place, as coordinator for the City of
Coral Gables, with power to appoint assistants, and requested Mrs. Nelson to
supervise the coordination of efforts of Coral Gables citizens in the matter.

A request of the Dade County Board of Public Instruction for the
construction of a portable frame building and 350 square yards of paving on
the present Ponce High School campus for the purpose of servicing school buses,
was taken under consideration, and the request was referred to the Zoning Board.

Commissioner Hartnett took such occasion to criticize the plans for
the new Coral Gables Senior High School now under construction. He stated that
the new school would be built with unplastered interior walls and with a make-
shift auditorium and cafeteria, which, in his opinion, were inconsistent with
the principles and standards of the City of Coral Gables. He also declared that

Ponce High School had been handicapped with an understaffed athletic department in comparison with other schools. He stated that these various matters made him feel that the Board of Public Instruction of Dade County was ignoring Coral Gables and being generally unfair to this community.

RESOLUTION NO. 3297

A RESOLUTION DIRECTING THE CITY CLERK TO CONSULT WITH THE OFFICIALS OF THE DADE COUNTY BOARD OF PUBLIC INSTRUCTION CONCERNING PLANS FOR THE NEW CORAL GABLES SENIOR HIGH SCHOOL NOW UNDER CONSTRUCTION.

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

That the City Clerk is hereby authorized to consult with representatives of the Dade County Board of Public Instruction, and to urge such board to provide for plastering of interior walls in the new Senior High School now under construction, to bring such building up to the general architectural standards of the City of Coral Gables.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

Andrew T. Healy
ANDREW T. HEALY
CHAIRMAN

ATTEST:

E. B. Poorman
E. B. POORMAN
CITY CLERK

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
SEPTEMBER 6, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, September 6, 1949. Mayor Phillips in the chair; Commissioners Hartnett, Healy and Hendrick present. Commissioner Mayes absent.

Minutes of special meeting of July 26, 1949, and regular meetings of August 2 and 16, 1949, were approved.

The meeting was then turned over to public hearings upon Local Improvements A-5 and H-62, in accordance with notices published in the Coral Gables Riviera-Times as provided by charter. No persons were present to voice objections to either improvement.

RESOLUTION NO. 3298

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT DISTRICT A-5.

WHEREAS, by Resolution No. 3016 passed and adopted March 16, 1948, the Commission ordered Local Improvement A-5, and by Resolution No. 3067 passed and adopted July 6, 1948, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the alley paving in such improvement with Williams and Stockton, and the work covered by said contract has now been completed and the City Manager has reported that the work was one in accordance with specifications and is satisfactory;

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

1. That the paving work done by Williams and Stockton in Local Improvement A-5 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3299

A RESOLUTION CONFIRMING THE PRELIMINARY
ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-62.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., September 6, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-62, and no objections were voiced:

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-62 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$14,455.26	Apportioned to abutting
Apportioned to City	<u>2,695.33</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.7731
abutting property	\$11,759.93	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable October 15, 1949, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in two equal installments on or before the first day of November 1949 and 1950, provided that the owner thereof shall file with the City Manager, on or before October 15, 1949, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from October 15, 1949.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-62 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount \$2,695.33 shall be repaid in two annual installments without interest at the same times the installment are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays"

- None.

9-6-49

AEA259

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 21, 22, 23, 24, AND 25, BLOCK 95, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was brought up for second reading. Mr. Robert Searles and Mr. George Edwards representing Shell Oil Company, and Mr. Dave Phillips, representing Dixie Tire Company, objected to the passage of this ordinance on the grounds that it was beneficial to the public interest to restrict the number of filling stations in a given locality for appearance sake and for alleviation of traffic congestion. On motion of Commissioner Hartnett, seconded by Commissioner Hendrick and unanimously passed, the ordinance was referred back to the Zoning Board of Appeals for additional study.

Mr. Leo Fullwood presented to the Commission, David Harum and John Skogstad, members of the Salvadore Park Junior Tennis Team. He stated that this team had recently competed in a tennis tournament at Miami Beach, in competition with teams from all over the South, and that the Salvadore Park team had won the team trophy for the second year in succession. The boys exhibited the team trophy won at the tournament, and received the warm congratulations of the Commission for their accomplishments.

Mr. William H. Cauley, 544 Avenue Zamora, appeared to appeal from the ruling of the Zoning Board of Appeals on August 8, 1949, denying his request for permission to erect a temporary frame children's playhouse upon Lot 1 and the west 35 feet of Lot 2, Block 4, Coral Groves. The City Clerk advised that written notice was sent to the owners of all adjoining property, and that the following owners had expressed their consent to such exception in writing or verbally to the City Clerk: George Preston, 1700 Segovia Street, Mrs. Edw. H. Williams, 537 Avenue Zamora, Dr. L. L. Mann, 1711 Segovia Street, E. E. Gates, 1710 Segovia Street (who was also present to consent to such exception) and Mrs. Hazel M. Lefevre, 601 Avenue Zamora. Mr. and Mrs. H. B. Herms, 538 Avenue Zamora, appeared to object to any structure "to which the Zoning Board objected", and Mr. V. A. Drazba, 541 Avenue Madeira, appeared to object to the exception because he felt that it lowered the value of his property. After considerable discussion the Commission declined to take action upon the appeal, thereby upholding the decision of the Zoning Board.

Mr. Roy Page and Mr. Louis Jacks appeared to inquire concerning the procedure for vacation of parkway and revised plat of the southwest corner

of Douglas Road and Coral Way. The matter was referred to the City Attorney to work out the method of completion of the transaction in accordance with terms of Resolution No. 3272.

The City Manager presented to the Commission the report and recommendations of Special Attorney Sidney S. Hoehl concerning the block rate schedule C-2 proposed by the Consumers Water Co., as required by the Commission by Resolution No. 3281, passed July 26, 1949. Mr. Hoehl recommended that the Consumers Water Co. be required to discontinue its present step rate schedule and use in lieu thereof the block rate schedule as presented by the company, with a revision to make a rate of 16 cents per ccf applicable to all water usage in excess of 600 ccf per month. Mr. Hoehl in his report pointed out that he had made an analysis of all bills rendered by the company during the 12 month period ending July 31, 1948, and that the application of the new block rate schedule to the same billings would decrease company revenue by approximately \$1,067 for the year period. The report further pointed out that the new block rate schedule with its lower minimum charge would result in a 16.7 per cent savings in water bills for approximately 22.4 cent of water company customers, no change in rate to approximately 72 per cent of company customers, and an increase in rate to approximately 5.6 per cent of all customers (due to the elimination of "free water").

Mr. H. E. Keating, Manager of the Consumers Water Co., appeared before the Commission to state that the company had no objections to the establishment of the block rate schedule C-2 as amended by the recommendations of Mr. Hoehl.

ORDINANCE

AN ORDINANCE ESTABLISHING, IMPOSING AND PRESCRIBING RATES AND CHARGES TO BE CHARGED, COLLECTED OR RECEIVED FOR WATER FURNISHED OR SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES BY CONSUMERS WATER COMPANY, ITS SUCCESSORS AND ASSIGNS, UNDER THE FRANCHISE GRANTED BY THE CITY OF CORAL GABLES; DECLARING EACH VIOLATION HEREOF TO BE A SEPARATE OFFENSE AND PROVIDING PENALTIES FOR SUCH VIOLATIONS; PROVIDING FOR THE PARTIAL INVALIDITY HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, and Hendrick; Mayor Phillips. "Nays" - None.

Manager Clark of the Biltmore Gold Course appeared before the

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Commission to recommend that the rental charge for the Biltmore Golf Course Restaurant concession be reduced from 10 per cent of gross receipts to 6 per cent of gross receipts. He stated that E. A. Merritt, the concessionaire, who was also present, had agreed that if a reduction in rental charge was made he would use part of the savings for improvements to the equipment and to the restaurant area.

RESOLUTION NO. 3300

A RESOLUTION AUTHORIZING A REDUCTION IN RENTAL CHARGE FOR BILTMORE GOLF COURSE RESTAURANT CONCESSION.

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

That the City Manager is hereby authorized to reduce the rental charge of the Biltmore Golf Course restaurant concession from 10 per cent of gross receipts to 6 per cent of gross receipts, effective as of August 1, 1949, on condition that the concessionaire secure, at his expense, public liability-property damage insurance in amounts to be approved by the City Manager and with specific coverage of the city interest therein.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Manager Clark and City Manager McIlwain also recommended amendments to the fees and rates schedules of the Granada and Biltmore Golf Courses, and the following resolution was presented and read:

RESOLUTION NO. 3301

A RESOLUTION FIXING GREENS FEES AND CHARGES FOR THE CORAL GABLES BILTMORE GOLF COURSE AND FOR THE CORAL GABLES GRANADA GOLF COURSE.

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

1. That the following charges and fees shall be in effect at the Coral Gables Biltmore Golf Course and at the Coral Gables Granada Golf Course from the date hereof and until otherwise provided by the Commission:

A. Greens Fees - Daily

BILTMORE - (1) Summer - April 16 through December 14	\$1.50
(2) Winter - December 15 through April 15250
(3) Strip tickets 7 for	15.00
GRANADA - (4) Summer - April 16 through December 14	1.00
(5) Winter - December 15 through April 15	1.50

B. Greens Fees - Annual

BILTMORE - (6) For bona fide permanent residents of Dade County (permits use of Granada Course without additional charge)	100.00
(a) for spouse, and each additional member of family under 21 years of age (permits use of Granada Course without additional charge)	25.00

BILTMORE - (7)	For non-residents of Dade County (permits use of Granada Course without additional charge . . .	150.00
	(a) For Spouse, and each additional member of family under 21 years of age (permits use of Granada Course without additional charge)	50.00
BILTMORE - (8)	For coaches, athletic directors, teachers and principals of schools in Dade County, and members of intercollegiate golf teams of schools in Dade County	75.00
	(a) For spouse, and each additional member of family under 21 years of age	25.00
GRANADA - (9)	For residents or non-residents	50.00
	(a) For spouse and each additional member of family under 21 years of age	10.00

C. Greens Fees - Special Periods

BILTMORE - (10)	Summer - June 1 through November 30	50.00
	(a) For spouse and each additional member of family under 21 years of age	20.00
BILTMORE - (11)	Winter - December 1 through May 31 (permits use of Granada Course without additional charge	85.00
	(a) For spouse and each additional member of family under 21 years of age (permits use of Granada Course without additional charge)	30.00

D. Greens Fees - Coral Gables Country Club Members

The following greens fee rates shall be applicable only to members of the Coral Gables Country Club, upon written authorization from officials of such club:

BILTMORE - (12)	Annual Greens fees	75.00
	(a) For spouse and each additional member of family under 21 years of age	25.00
GRANADA - (13)	Annual Greens fees	36.00
	(a) For spouse and each additional member of family under 21 years of age	12.00
BILTMORE - GRANADA (Permitting use of both courses)	(14) Annual greens fees	100.00
	(a) For spouse and each additional member of family under 21 years of age	25.00

E. City of Coral Gables Employees

(Which shall include members of the Zoning Board of Appeals, Board of Supervising Architects and Structural Engineer, all Contractors' Examining Boards, Planning and Advisory Board, Board of Trustees of the Retirement System, City Trial Board and Athletic Commission)

BILTMORE - (15)	All rates at one-half resident rates
GRANADA -	No charge for greens fees for regular full time Employees; one-half regular greens fees charge for members of Boards above listed.

F. Other Charges

BILTMORE - Caddy Carts (for 18 holes)	\$.50
GRANADA - Caddy Carts (for 18 holes)35

2. That the Manager of the Biltmore Golf Course is hereby authorized to accept payment of annual greens fees, of \$100 or more in two installments, one half at time of acceptance of application, and one half within 90 days thereafter, subject to the condition that the down payment of one half of the fee shall be forfeited in case of default of payment of balance due at the time required.

3. That all greens fees above listed shall be non-transferrable, and shall confer playing privileges upon only the named payees.

Motion for its adoption was made by Commissioner Healy, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

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RESOLUTION NO. 3302

A RESOLUTION AUTHORIZING THE PURCHASE OF A FORD TWO-DOOR SEDAN FOR THE DEPARTMENT OF PUBLIC SAFETY, AND A STUDEBAKER FOUR-DOOR SEDAN FOR THE USE OF THE CITY MANAGER

WHEREAS, bids have been received for two-door and four-door sedans for use as police patrol cars and for use by the City Manager as follows:

Manufacturer	Year	Mfgr's Name of Model	No. of Doors	Net Price Less Trade-in
Studebaker	1950	Deluxe	2	\$1,113.43
	1950	Deluxe	4	1,745.18
Oldsmobile	1949	Req. 76	2	1,234.40
	1949	Req. 88	2	1,443.40
	1949	Req. 76	4	2,104.40
	1949	Req. 88	4	2,316.40
Ford	1949	Standard	2	693.66
	1949	Custom	2	798.27
	1949	Standard	4	1,618.00
	1949	Custom	4	1,728.00
Dodge	1949	Meadowbrook	4	1,099.00
	1949	Coronet	4	1,199.00
	1949	Meadowbrook	4	1,799.00
	1949	Coronet	4	1,899.00

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

1. That the bid of Huskamp Motor Co. and/or its affiliate corporations for a Ford Standard 2-Door Sedan for use as a police patrol car by the Department of Public Safety, at a net price, less trade-in, of \$693.66 plus \$32.00 for seat covers, is hereby declared to be the most advantageous bid to the city for such purpose.

2. That the bid of Caldwell Motors for a Studebaker Model 1950 4-Door Deluxe Sedan for use by the City Manager, at a net price of \$1,745.18 without trade-in, is hereby declared to be most advantageous bid to the city for such purpose.

3. That the City Manager is hereby authorized to purchase from the Huskamp Motor Co. or its affiliates, one 1949 Ford Standard 2-Door Sedan at a net price, less trade-in, not to exceed \$725.66 (including seat covers), FOB Coral Gables, for use as a police patrol car; and he is further authorized to purchase from Caldwell Motors one 1950 Deluxe 4-Door Studebaker Sedan at a net price, without trade-in, not to exceed \$1,745.18 FOB Coral Gables, for use by the City Manager.

Motion for its adoption was made by Commissioner Hartnett, seconded by

Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager presented a statement rendered by Special Attorney Sidney S. Hoehl in the amount of \$750.00, and of Mr. Francis T. Mylott in the amount of \$1,500, for services in connection with the investigation and report upon rates and charges of the Consumers Water Co., and a bill of Mr. Mylott in the amount of \$212.07 for expenses incurred in a trip from New York to Coral Gables, December 10th to 12th, 1948.

RESOLUTION NO. 3303

A RESOLUTION AUTHORIZING PAYMENT OF FEES AND EXPENSES TO SPECIAL ATTORNEY SIDNEY S. HOEHL AND MR. FRANCIS T. MYLOTT.

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

That the payment of \$750.00 to Special Attorney Sidney S. Hoehl, and \$1,500.00 to Mr. Francis T. Mylott, for their services in connection with the investigation and reports on rates and charges of the Consumers Water Co., is hereby approved and authorized; that the payment to Mr. Francis T. Mylott of \$212.07 for travel expenses incurred by him in connection with said matter is hereby approved and authorized; that the Director of Finance is hereby authorized and directed to charge such payments to "Commitments for Prior Years-General Contingent Fund".

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager advised that negotiations had been conducted over a long period with the Board of County Commissioners of Dade County for issuance of a special permit by the county for use of the east 200 acres of Government Lot 1 between Townships 53 and 54 South, Range 39 East, by the city as a soil pit; that the Board of County Commissioners authorized such permit on August 23, 1949 by its resolution No. 3336, subject to the execution by the city of an agreement imposing certain restrictions upon the use of the property; and that he recommended acceptance of the terms of such agreement and the completion of the purchase of the property in accordance with the option held by the city.

RESOLUTION NO. 3304

A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY FOR USE AS SOIL PIT ON TERMS SET FORTH HEREIN.

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

1. That in accordance with the option to purchase held by the city and authorized by Resolution No. 3211 passed and adopted April 13, 1949, the City Manager is hereby authorized to purchase on behalf of the city, the east 200 acres of Government Lot 1 between Townships 53 and 54 South, Range 39 East, Dade County, Florida, at a purchase price of \$50.00 per acre, payable half in cash at time of closing and the remaining half on or before one year thereafter with interest on the unpaid balance at the rate of 3 per cent per year payable semi-annually; seller to furnish abstract to date showing good and marketable title except for existing 20 year lease on the northwesterly 15 acres of said property, given to the U. S. Government for erection of towers used in connection with the 36th Street airport, the rental under said lease being \$125.00 per year, payable annually in July, such rental to be paid to the City.

2. That the City manager and City Clerk are hereby authorized, on behalf of the City, to execute a purchase money mortgage and note in the amount of \$5000.00, to effect the above transaction.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3305

A RESOLUTION AUTHORIZING AN AGREEMENT
RECITING CERTAIN RESTRICTIONS AND CONDITIONS
TO THE USE OF THE WITHIN DESCRIBED PROPERTY
AS A SOIL PIT BY THE CITY OF CORAL GABLES.

WHEREAS, the City of Coral Gables, Florida, is contemplating the purchase of the east 200 acres of Government Lot 1, between Townships 53 and 54 South of Range 39 East, Dade County, Florida, for the purpose of using top soil and other usable materials on the greater part thereof in connections with the building, maintenance and upkeep of parks, parkways and other public properties in the City of Coral Gables; and

WHEREAS, the Board of County Commissioners of Dade County, Florida, is reluctant to permit such use unless the land from which the material is taken is left so as not to be a detriment to adjacent and surrounding properties, and has requested the execution of an agreement by the City of Coral Gables embodying certain conditions precedent to the granting of such permit.

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

That the City Manager and the City Clerk are hereby authorized to execute, on behalf of the City of Coral Gables, the following agreement, to-wit:

"WHEREAS, THE CITY OF CORAL GABLES, FLORIDA, A municipal corporation of Florida, hereinafter called City is considering the purchase of the following described property located in Dade County, Florida, to-wit:

The East Two hundred (200) acres of
Government Lot 1, lying between Townships
53 and 54 South of Range 39 East, and

WHEREAS, the purpose for which this property is to be purchased is for the use of the top soil and other similar usable materials to be used by said City in connection with its parks, parkways and other beautification of City properties in said City, and

WHEREAS, the Board of County Commissioners of the County of Dade and State of Florida is unwilling to permit such use of properties because of the fact that the taking away of such soil and other usable materials will, unless certain other things are done after the removal of soil and other usable material, creat a situation which probably would be to the detriment not only of the lands adjacent to said property, but also to the lands in the neighborhood of such property, and

WHEREAS, said City is willing so to treat with said land that after the removal of soil and usable material the property will be left in such condition that it will not adversely affect adjacent and neighboring property.

NOW, THEREFORE, IN consideration of its being permitted to remove such soil and other usable materials from the property hereinabove described and for the purposes hereinabove set forth, the City of Coral Gables does hereby agree with the County Commissioners of the County of Dade And State of Florida that if

said Board will grant to the said City the right to remove the top soil and other usable materials from a portion of the above described property designated on a sketch and called 'Merrick Lake', a copy of which sketch is hereto attached and made a part hereof as if specifically set forth herein, that it will:

1. Remove said soil from the said area designated Merrick Lake to a depth of 4 to 5 feet below the elevation of the land designated on said sketch as 'Garden Plot', 'Radio Station' and an area reserved for parking, and that at all times while the ownership of 'Merrick Lake' is in The City of Coral Gables, and while there is water in same, that said City shall keep the same stocked with fish so as to prevent the breeding of mosquitoes, and the City of Coral Gables will leave the bottom of the lake in a uniform gradient.

2. That after the said soil and other usable materials have been removed and after completion of the period designated in paragraph (4) hereof, that it will convey the said property designated as 'Merrick Lake' from which the soil has been removed, to the County of Dade together with sufficient land in the perimeter of the tract herein described, at a location to be prescribed by the Dade County Engineer, to provide access to said lake area so conveyed.

3. That it will carry on the removal of said soil and other usable materials in a careful and workman-like manner and in such a way as to cause as little inconvenience to others as is possible by diligent, careful and workman-like operations.

4. That it will complete the operation of removing said soil and other usable materials within a period of 10 years from the time of approval by the Board of County Commissioners.

In the event that the said Board of County Commissioners of Dade County, Florida, should grant the permission to the City to remove such top soil and other usable materials and the said City should fail to acquire the fee simple title to said property by purchase from the present owner, the consent of the said Board of County Commissioners so to use the property shall be considered, without any action by said Board, to be withdrawn. The City further undertakes and agrees with the said Board of County Commissioners that the consent of said Board, if given, shall be to the City of Coral Gables only and not to any person, persons or corporations other than said City.

IN WITNESS WHEREOF the said City of Coral Gables has caused these presents to be signed by its City Manager, attested by its City Clerk and its corporate seal affixed, all with due authority under Resolution No. 3305 passed by the City Commissioners of said City, under date of September 6, 1949."

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays"- None.

The City Manager presented a letter from Mr. Charles G. Lavin of Washington, D. C., offering to represent the city in Washington, D. C. for a stated sum. No action was taken.

9-6-49

The City Manager recommended the following changes and additions to the street lighting system:

Change 4,000 lumens OHWW street light from the southwest corner of Segovia Street and Malaga to the northeast corner of Segovia Street and Avenue Malaga. This change involves turning off one light and turning on one light. No cost for the change.

Install 1,000 lumens OHB street lights at the following locations:

Corner of Heraldo Street and Avenue Manati
 Corner of Heraldo Street and Avenue Aduana
 Corner of Avenue Manati, 100 ft. west of Maynada St.
 Corner of Aduana approximately 100 ft. west of Maynada St.

Total cost for construction \$73.00, pole rental 6 poles at \$2.00 per year each until used by the power company.

The Commission approved these recommendations.

The City Clerk presented a written notice of appeal filed by Mr. Sam Weissel, appealing from a decision of the Zoning Board of Appeals made August 29, 1949, denying his request for a change of zoning to permit a filling station on Lots 22 to 24 inclusive, Block 1, Crafts Section. The clerk stated that Mr. Weissel would be out of town and desired that the appeal be heard the latter part of October, although under the ordinances of the city the hearing would otherwise be set for the second meeting in September.

RESOLUTION NO. 3306

A RESOLUTION FIXING TIME OF HEARING FOR APPEAL FROM THE DECISION OF THE ZONING BOARD.

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

That a hearing upon the appeal of Sam Weissel from the ruling of the Zoning Board of Appeals on August 29, 1949, denying his request for a change of zoning to permit erection of a filling station and a store building on Lots 22 to 24 inclusive, Block 1, Crafts Section, is hereby set for 8:00 o'clock P.M., Tuesday, October 18, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk presented a written offer from Mr. Joseph Zemel to purchase from the city all City of Coral Gables tax certificates now held and owned by the city at a purchase price for all tax certificates two years old or older of face amount without interest, and for all certificates less than two years old of face amount plus statutory interest to date of transfer. On motion of Commissioner Healy, seconded by Commissioner Hendrick and unanimously passed, the City Clerk was directed to publish a notice in the Riviera-Times offering to sell such certificates to the highest bidder, and no action was taken on the offer by Mr. Zemel.

RESOLUTION NO. 3307

A RESOLUTION DIRECTING THE DEPOSIT OF FUNDS WITH DESIGNATED PAYING AGENTS FOR PAYMENT OF BONDS AND INTEREST COUPONS OF BOND ISSUES PRIOR TO JANUARY 1, 1937; AND PROVIDING AND APPROPRIATING SUFFICIENT FUNDS THEREFOR.

WHEREAS, there are presently outstanding and unlocated nine general obligations bonds of the City of Coral Gables, in the total amount of Nine Thousand (\$9,000.00) Dollars of issues prior to the January 1, 1937 Refunding Issue, to-wit:

<u>Issue</u>	<u>BOND NUMBER</u>	<u>MATURITY DATE</u>	<u>TOTAL AMOUNT</u>
April 1, 1926	884-885	April 1, 1952	\$ 2,000.00
January 1, 1927	2700	January 1, 1946	1,000.00
January 1, 1927	3315	January 1, 1948	1,000.00
January 1, 1927	3628	January 1, 1951	1,000.00
January 1, 1927	4112	January 1, 1954	1,000.00
January 1, 1927	4495	January 1, 1957	1,000.00
July 1, 1930	79/80	July 1, 1949	2,000.00
			<u>\$ 9,000.00</u>

which have never been exchanged for refunding bonds, or which, if matured, have not been presented for payment; and the holders of which are entitled to payment of principal thereof and interest at the rate prescribed thereon at the respective due dates of the several bonds and coupons; and

WHEREAS, Resolution No. 2427, passed and adopted September 15, 1944 authorized issuance of refunding bonds of the July 1, 1944 issue, in amounts sufficient to retire or exchange each of the bonds recited above, and there is on hand at the present time nine unissued July 1, 1944 3% refunding bonds, due July 1, 1973, with all interest coupons attached, held and reserved for such purpose; and

WHEREAS, by the terms of Ordinances Nos. 29, 30 and 31, bonds and coupons of the April 1, 1926 issue are payable at the Chemical National Bank of New York City, as successor of the U.S. Mortgage and Trust Company of New York City; by the terms of Resolution 282, passed January 19, 1927, bonds and coupons of the January 1, 1927 issue are payable at The Chase National Bank of New York City; by the terms of Resolution 921, passed April 21, 1930, bonds and coupons of the July 1, 1930 issue are payable at The Chase National Bank of New York City; but funds for the payment of bonds and coupons on their respective due dates have not been deposited with the designated paying agent banks since January 1, 1945, and holders of such bonds and coupons have been required to present the same for payment to the office of The City Clerk in Coral Gables; and

WHEREAS, according to the strict terms of the several bond ordinances or resolutions the City may be held in default because of not having funds in the hands of the designated paying agents to pay such bonds and interest coupons upon their respective due dates.

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

1. That the Director of Finance is hereby authorized and directed to forward to and deposit with the respective paying agent banks, immediately, sufficient funds to pay or retire all such listed bonds and interest coupons that are due and payable at the present time; and he is further authorized and directed to forward to and deposit with the said paying agent banks, from time to time in the future as said bonds and interest coupons become due and payable, sufficient funds to pay such bonds and interest coupons upon their due dates.

2. That to provide funds for the transmission to said paying agents for the payment of principal of the four bonds which have matured prior to the date of this resolution, the

Director of Finance is hereby authorized and directed to sell, at market, four of the unissued July 1, 1944 Refunding bonds on hand for that purpose, and the balance necessary, if any, for payment of said four matured bonds is hereby appropriated from any unappropriated revenue of the city; and the Director of Finance is further authorized and directed, from time to time in the future as the remaining five bonds outstanding mature and become due, to likewise sell at market the remaining five unissued July 1, 1944 refunding bonds on hand for such purpose, with the difference between the market price received and the face amount of such bonds, if any, to be made up from general funds of the city.

3. That to provide funds for the transmission to said paying agents for payment of interest coupons past due as of the date of this resolution, the Director of Finance is hereby authorized and directed to transfer from the January 1, 1937 Bond Fund to the interest coupon amounts herein authorized, an amount equal to 3% per annum interest upon such bonds from January 1, 1945 to the nearest coupon date involved, (inasmuch as the present debt service levies of the city are calculated to include 3% interest per annum upon the unissued July 1, 1944 refunding bonds reserved to retire the bonds herein listed), and the balance necessary to provide for payment of the interest coupons according to the tenor thereof is hereby appropriated from any unappropriated revenue of the city; and the Director of Finance is further authorized and directed to provide in like manner and to transmit to the several paying agents in the future and as the several interest coupons become due, sufficient funds to provide for payment of such coupons, until such time as all recited bonds of issues prior to January 1, 1937 are paid, or until sufficient funds therefor have been placed on deposit with the respective paying agents.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3308

A RESOLUTION APPROPRIATING \$100.00 FROM THE CONTINGENT FUND FOR THE PURPOSE OF PUBLICIZING THE CITY.

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

That there is hereby appropriated from the General Contingent Fund of the city the sum of \$100.00, to defray part of the expenses of the Coral Gables Junior Skish Team to the National tournament in Chicago for the purpose of publicizing the City of Coral Gables; and the payment of such amount by the proper officers of the city if hereby ratified and approved.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3309

RESOLUTION AUTHORIZING ISSUANCE OF A RETAIL BEVERAGE STORE LICENSE TO KARIN'S KITCHEN.

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

That the issuance of retail beverage store license to John E. Johnson d/b/a Karin's Kitchen, 932 Ponce de Leon Blvd., permitting sale of alcoholic beverages containing not more than 14 per cent of alcohol by weight for consumption on the premises, is hereby authorized and approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the owner of such business.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk advised the Commission that he had written to the Governor, to the special legislative joint committee for the study of taxation, and to all members of the Dade County Delegation in the Legislature, as directed at the meeting of August 16th, pointing out the need for state aid to cities and requesting that any additional sources of revenue provided for the state in the coming session of the Legislature be shared in just proportion with the cities. He stated that he had received answers from the Governor and each member of the Dade County Legislative Delegation, promising consideration of such request.

RESOLUTION NO. 3310

A RESOLUTION DIRECTING THE CITY ATTORNEY
TO MAKE NO DEFENSE TO CERTAIN PENDING
LITIGATION.

WHEREAS, a quo warranto suit has been filed in the Circuit Court of Dade County for the purpose of ousting Soldier Key from the corporate jurisdiction of Coral Gables;

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

That the City Attorney is hereby authorized and directed to make no defense to such suit and to expend no city monies in connection therewith, inasmuch as the result of recent court decisions indicates that any defense thereto would be unsuccessful.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from Mr. L.W. Larson, requesting that the business and professional directory prepared by Mr. Larson be designated as an official directory of the city. No action was taken.

The City Manager pointed out to the Commission that Ordinance No. 614 authorized him to appoint two members to represent the City of Coral Gables on the Dade County Master Board of Examiners of Electricians, and requested Commission approval of his appointment of Mr. John E. Myers and Electrical Inspector Mark Albury to this Board. The Commission approved such appointments.

RESOLUTION NO. 3311

A RESOLUTION PERMITTING A TEMPORARY CYCLONE FENCE ON LOTS 4 TO 8 INCLUSIVE, BLOCK 18, CRAFTS SECTION.

WHEREAS, permission has heretofore been granted Mr. Georges Milenoff to construct an open-air theatre on Lots 4 to 8, and 30 to 35 inclusive, Block 18, Crafts Section;

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

That Mr. Georges Milenoff is hereby granted permission to erect and maintain a 6 foot cyclone type fence in lieu of masonry wall along the north side of the theatre location on Lots 4 to 8 inclusive, Block 18, Crafts Section, and approximately 67 feet south of Avenue Sevilla, pending construction of the permanent theatre entrance, and in any event for a period not to exceed 6 months from date of this resolution.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays"

- None.

RESOLUTION NO. 3312

A RESOLUTION CALLING A SPECIAL MEETING OF THE COMMISSION FOR SEPTEMBER 9, 1949

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

That a special meeting of the City Commission is hereby called for 9:30 A.M., September 9 at the City Hall, Coral Gables, for the purpose of consideration of plans of financing the construction of a proposed new bus terminal and for the consideration of such other business as may come before the Commission.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays"-

None.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips

MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman

CITY CLERK
E. B. Poorman

MINUTES OF THE SPECIAL MEETING
OF THE CITY COMMISSION
SEPTEMBER 9, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 9:30 O'clock A.M., Friday, September 9, 1949, pursuant to call of such meeting at the regular meeting of September 6, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy and Hendrick present. Commissioner Mayes absent.

Mr. Walter Butler, Mr. Louis P. Sheahan and Mr. Gilbert Chaplin, representing the Walter Butler Company, appeared before the Commission to advise that the company was prepared to offer a package proposition under which the firm would design, construct, and finance the proposed new bus terminal in Block 35, Section K.

The City Attorney pointed out that the charter required an advertisement for bids for all public works of an amount of \$1,000.00. After discussion it was agreed that the company would draw up a proposal to present to the Commission for the preparation of plans and specifications for the new terminal at a fee of 5% of the cost thereof; that there would be incorporated in such proposal an option on the part of the City to require the Butler Company to construct and finance the bus terminal at a stipulated percentage fee; and that the Butler Company would enter a bid for the construction and financing of the terminal in competition with other firms that may desire to bid.

Mayor Phillips pointed out that at the time the above proposal is submitted for Commission study and approval details will be made public and other firms given an opportunity to submit similar propositions.

ORDINANCE NO. 615

AN ORDINANCE ESTABLISHING, IMPOSING AND PRESCRIBING RATES AND CHARGES TO BE CHARGED, COLLECTED OR RECEIVED FOR WATER FURNISHED OR SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES BY CONSUMERS WATER COMPANY, ITS SUCCESSORS AND ASSIGNS, UNDER THE FRANCHISE GRANTED BY THE CITY OF CORAL GABLES; DECLARING EACH VIOLATION HEREOF TO BE A SEPARATE OFFENSE AND PROVIDING PENALTIES FOR SUCH VIOLATIONS; PROVIDING FOR THE PARTIAL INVALIDITY HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

which was read by title and adopted on first reading September 6, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips.

"Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 615.

ORDINANCE NO. 616

AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", PERMITTING DUTCH COLONIAL TYPE HOUSES IN BLOCK 45, RIVIERA SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading August 16, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips.

"Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 616.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips

MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman

CITY CLERK

E. B. Poorman

RECORDED

INDEXED

FILED

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
SEPTEMBER 20, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, September 20, 1949. Mayor Phillips in the chair; Commissioners Hartnett, Healy and Hendrick present. Commissioner Mayes absent.

Minutes of the regular meeting of September 6, and of the special meeting of September 9, 1949, were read and approved.

The meeting was then turned over to a public hearing upon Local Improvements H-63 and A-5 in accordance with notice published in the Coral Gables Riviera-Times as provided by charter.

RESOLUTION NO. 3313

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT DISTRICT H-63.

WHEREAS By Resolution No. 3247 passed and adopted June 7, 1949, the Commission ordered Local Improvement H-63, and by Resolution No. 3252 passed and adopted June 21, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission authorized the construction of such improvement by city-county forces, and the work covered by said contract has now been completed, and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by city-county forces in Local Improvement H-63 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay all costs of said improvement incurred by the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3314

A RESOLUTION CONFIRMING THE PRELIMINARY
ASSESSMENT ROLL FOR LOCAL IMPROVEMENT A-5.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., September 20, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections of interested persons to the confirmation of the preliminary assessment roll for Local Improvement A-5, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement A-5, be and they hereby are confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed against and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots or parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid for by the City of Coral Gables has been duly taken into account and eliminated from the total cost of said work before the proportionment of the assessments against the separate lots and parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$1,189.94	Apportioned to abutting
Apportioned to city	<u>35.07</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.9624
abutting property	\$1,154.87	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable in one installment due November 1, 1949; all deferred payments or delinquent payments shall bear interest at the rate of 6% per annum from November 1, 1949.

5. That the Director of Finance is hereby authorized to immediately pay the city share of said assessment and to transfer the sum of \$1154.87 to pay the remainder of the cost of Local Improvement A-5 as shown above from the Trust and Reserve Fund to the Current Fund as a temporary loan, such loan to be repaid as follows:

(a) By transferring to the Trust and Reserve Fund all payments received from assessments upon abutting property in said improvement district, together with all interest received upon deferred payments.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Captain Brasher of the Police Department requested permission of the Commission to lower the height of the ornamental wall now located on the center parkway of Alhambra Circle immediately west of LeJeune Road, stating that the existence of such wall created a serious traffic hazard and prevented effective use of traffic light at that corner. Captain Brasher stated that present traffic required a traffic light at that corner. The Commission requested that a design or plan of the wall as reduced in height be presented for their approval before the lowering of such wall was undertaken.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 21, 22, 23, 24 AND 25, BLOCK 95, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was brought up for second reading. Commissioner Healy moved the adoption of the Ordinance. The motion failed for want of a second. Mr. Healy then withdrew his motion and moved that consideration of the ordinance be tabled until a full Commission was present. The motion was seconded by Commissioner Hartnett and was unanimously passed.

Mr. James Moore advised the Commission that the Directors of the Retail Merchants Division of the Coral Gables Chamber of Commerce had requested that the Commission be informed that they were vitally interested in Commission action to secure off-street parking sites. The Commission suggested that the committee appointed for consideration of this matter be reactivated, and that the committee arrange a conference with the directors on the problem.

The City Manager presented a letter from Miami Waste Paper Company offering the sum of \$500 per year for the privilege of picking up waste paper at the incinerator for one year beginning September 20, 1949, with the privilege of extension of the agreement for an additional year. Payments under the offer are to be made at the rate of \$50 per month for the first ten months of the year. The Commission authorized the City Manager to accept the offer.

The City Manager noted the receipt of letters from the Tamiami Trail Tours and Florida Motor Lines, expressing interest in securing space in the proposed new bus terminal. The City Manager also noted receipt of letters from Mr. C. T. McCreedy and Mr. A. B. Morrison requesting that they be given the opportunity to examine any contract for the proposed bus terminal before any definite commitments were made.

The City Manager requested approval for installation of one 1000 lumens OHB street light on Granada Boulevard approximately 300 feet south of South Alhambra Circle; for turning on one 4000 lumens OHWW street light at the corner of Segovia Street and Wood street; and for relocation of one 1000 lumens OHB street light from the southwest corner of Granada Boulevard and South Alhambra Circle to the northwest corner of the same intersection; no installation charges for any of the above installations. The Commission authorized the City Manager to proceed according to his recommendations.

The City Manager noted that a complaint about the heavy foliage growth on the premises of Colonel Shartle at 711 University Drive had been

received at the regular meeting of July 19. He stated that he had been unable to contact Colonel Shartle, but that the condition had been alleviated by the city trimming some of the foliage.

The City Manager noted requests from numerous merchants who kept their business open at night for permission to place a hood over one parking meter in the block to provide 10 minute parking space after 6 P.M. These merchants stated that the congested parking conditions, principally caused by theatres, made it difficult for customers to secure parking near their places of business. The matter was referred to the City Manager for further study.

RESOLUTION NO. 3315

A RESOLUTION ORDERING LOCAL IMPROVEMENT A-7.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Paving to 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, at an estimated cost of \$9,440 (of which an estimated \$1140 shall be apportioned to the city, and an estimated \$8300 shall be apportioned to abutting property), the following alleys:

The east and west alley in Block 19, Section K, from Salzedo Street to LeJeune Road.

The east and west alley in Block 20, Section K, from Ponce de Leon Boulevard to Salzedo Street.

The east and west alley in block 25, Section K, from Ponce de Leon Boulevard to Salzedo Street.

The east and west alley in Block 37, Section K, from Ponce de Leon Boulevard to Salzedo Street.

The alley in Block 21, Section L, from Alhambra Circle to Ponce de Leon Boulevard.

The Alley in Block 4, Crafts Section, from Avenue Andalusia to Galiano Street.

The east and west alley in Block 9, Crafts Section, from Salzedo Street to LeJeune Road.

2. That the cost of such improvement, except those portions thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such alleys, on a frontage basis, which said properties are hereby designated as Improvement District A-7.

3. That said special assessments shall be payable 30 days after confirmation of the preliminary assessment roll therein, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Hendrick, seconded

by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager discussed the ordering of local improvements districts in Sections C, D and E, for the paving and widening of numerous streets in such sections. The matter was deferred until the next meeting.

City Attorney Semple stated that he continued to receive numerous complaints concerning the unsightliness of the Perkins Second Hand Store at 5124 S. W. 8th Street. He stated that in his opinion the city had power to enjoin a public nuisance, but that he has been of the opinion that unsightliness is not a sufficient basis to prove a public nuisance if no hazard or menace to health could be shown. He stated that he felt that the best remedy to correct this situation was a private suit by property owners, based on possible violation of deed restrictions. He said, however, that he would be willing to institute an injunction suit by the city if one or more of the persons privately affected agreed to join as plaintiff with the city, and if deed restrictions in the area afforded some basis for such suit. He said would examine further into the situation.

RESOLUTION NO. 3316

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting September 12, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of garage on Lots 27 and 28, Block 2, Section E, exceeding the maximum 600 square feet by 235 extra square feet.
2. Permit a reduction of 150 square feet in minimum area requirement for residence on Lot 12, Block 10, Section C, to permit elimination of jalousies.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk noted receipt of Resolution No. 3360, adopted by the Board of County Commissioners of Dade County, September 13, pledging the pre-

sent board to leave undisturbed the trees on the center parkway of Coral Way.

The City Clerk presented to the Commission a letter from the International City Managers' Association, inviting representatives from this city to be present at its International Convention to be held at Palm Beach, Florida, December 4 to 8, 1949. The Commission indicated its desire that the City Manager attend such convention.

ORDINANCE NO. 617

AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 556 AS TO HERMITS AND FEES FOR CONTESTANTS AND OFFICIALS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 617.

RESOLUTION NO. 3317

A RESOLUTION AUTHORIZING THE EXECUTION OF A \$16,000.00 NOTE AND A CHATTEL MORTGAGE TO FINANCE BUS PURCHASING.

WHEREAS, five new Twin Coach buses have been purchased for the Transportation Department, and the budget and appropriation ordinance for the fiscal year 1949-1950 contemplates financing for a period of one year a part of the purchase price thereof.

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

That, for the purpose of financing part of the purchase price of said buses, the Mayor and City Clerk hereby are authorized and directed to execute, on behalf of the city, a note to the Coral Gables First National Bank, in the amount of \$16,000.00, dated September 21, 1949, payable one year after date, bearing interest at the rate of 2-3/4% per year payable semiannually, together with a chattel mortgage, of even date, securing said note and conveying to said bank the following buses:

Twin Coach, Serial 41-S-1227, Motor No. FTC-180-1-C4700
Twin Coach, Serial 41-S-1226, Motor No. FTC-180-1-C4708

Motion for its adoption was made by Commissioner Healy, seconded by

Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" -
None.

RESOLUTION NO. 3318

A RESOLUTION AUTHORIZING ISSUANCE OF
RETAIL BEVERAGE STORE LICENSE.

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

That the issuance of a retail beverage store license permitting the sale of alcoholic beverages containing not more than 14 per cent of alcohol by weight for consumption on the premises, to Marcelino Mendez d/b/a Mendez Varsity Grill, 1500-02 South Dixie Highway, is hereby authorized and approved on the ground that said business is a bona fide restaurant with a seating capacity of more than 50 persons, subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the owner of such business.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" -
None.

RESOLUTION NO. 3319

A RESOLUTION POSTPONING DATE OF HEARING OF
APPEAL OF DECISION OF ZONING BOARD.

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

That the hearing upon the appeal of Sam Weissel from the ruling of the Zoning Board of Appeals on August 29, 1949, denying his request for a change of zoning to permit erection of a filling station and a store building on Lots 22 to 24 inclusive, Block 1, Crafts Section, is hereby postponed from Tuesday, October 18, to Tuesday, November 1, 1949. at 8 o'clock P.M.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" -
None.

Discussion was had upon the proposals submitted to the city for comprehensive public liability and property damage insurance. No action was taken.

Discussion was had upon the license fees applicable to indoor shuffle board courts and other amusement machines and devices. The City Clerk was instructed to submit to the Commission an ordinance amending the license ordinance to require a \$1000 fee for each such machine.

There being no other business the meeting was adjourned.

ATTEST:

E. B. Poorman
CITY CLERK E. B. Poorman

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

(DRAFT)

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
OCTOBER 4, 1949.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, October 4, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was turned over to a public hearing upon the confirmation of the preliminary assessment roll in Local Improvement H-63, in accordance with notices published in the Coral Gables Rivera-Times as provided by charter. No persons were present to voice objections to such improvement.

RESOLUTION NO. 3320

A RESOLUTION CONFIRMING THE PRELIMINARY
ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-63.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 4, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections of interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-63, and no objections were voiced.

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

1. That the assessment as imposed and indicated in the preliminary assessment roll for Local Improvement H-63 are hereby confirmed and sustained against all lots and parcels of land described therein.
2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the city of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work, before the apportionment of the assessments against the separate lots or parcels.
3. That the total amount of said assessment and apportionment of cost of said improvement as follows:

Total cost	\$ 729.35	Apportioned to abutting
Apportioned to City	<u>110.33</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.2241.
abutting property	\$ 619.02	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable in one installment due November 15, 1949; all delinquent payments shall bear interest at the rate of 6 per cent per annum from November 15, 1949.

5. That the Director of Finance is hereby authorized to immediately pay the city shall of said assessment, and to transfer the sum of \$619.02 to pay the remainder of the cost of Local Improvement H-63 as shown above from the Trust and Reserve Fund to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) By transferring to the Trust and Reserve Fund all payments upon abutting properties in said improvement district together with all interest received upon deferred payments.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Captain Brasher of the Police Department presented a sketch showing the manner in which he proposed to lower the height of the ornamental wall now located on the center parkway of Alhambra Circle immediately west of LeJeune Road. The plans call for a reduction of the height of each end of the wall to 4'6", and a reduction of the middle portion of the wall to 3'6", and the placing of an open metal grill on top of the wall. The Commission approved the plan, and authorized the lowering of the height of this ornamental wall, as a necessary measure to reduce a serious traffic hazard caused by the wall at its present height.

Further discussion was had as to the request of numerous merchants for permission to place a hood over one parking meter in each block during evening business hours, to provide ten-minute parking space for customers of merchants in such block. Commissioner Hartnett moved that the City Manager be instructed to authorize the use of such hoods to insure ten-minute parking space during evening business hours at locations to be approved by the City Manager, not to exceed one such space per block. The motion failed for want of a second.

RESOLUTION NO. 3321

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting September 26, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit demolition of present service station and erection of new station in its place, exceeding 50 per cent of the value of existing building, in accordance with plans presented, except that a tile roof shall be required, said new building to have a front setback of 8 feet from the property line, on Lots 22 to 26 inclusive, Block 1, Golden Gate.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

An ordinance changing the zoning of property at the southwest corner of LeJeune Road and Dixie Highway was again discussed. Mr. Robert Searles, representing Shell Oil Company, reiterated his previously stated objections to the ordinance, declaring that he felt that the 750 foot distance requirements between filling stations enforced north of the F. E. C. Railroad should be likewise applied to the area south of the railroad. At the conclusion of this discussion,

ORDINANCE NO. 618

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 21, 22, 23, 24 AND 25, BLOCK 95, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted August 2nd, 1949, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - Commissioner Hendrick.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 618.

Mr. F. A. Browand, lessee of the rear 40 feet of 208 Bird Road, appeared concerning the exception recommended for him by the Zoning Board at its September 26 meeting. The Zoning Board recommended a temporary exception for garage use, providing the garage sign was removed from Bird Road and placed on the alley side of the building.

RESOLUTION NO. 3322

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE."

WHEREAS, the Zoning Board of Appeals at its regular meeting September 26, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit use of rear 40 feet of building at 208 Bird Road (Lot 1, Block 4, Industrial Section) for auto repair and light mechanical work for a temporary period during the term of the lease of F. A. Browand upon such premises, but in any event not to exceed two years from date hereof, on condition that the garage sign for such business be removed from the Bird Road (side of the building)

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3323

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting September 26, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit light manufacturing of cement products and/or cast plaster products in rear of building situated upon Lots 10 to 13 inclusive, Block 5, Industrial Section, upon the following conditions:

1. That all material be stored and operations conducted within enclosed walls.
2. That the manufacturing operations hereby permitted be restricted to weekdays between the hours of 8 A.M. and 5 P.M.
3. That such operations cause no objectionable noise or dirt disturbance, and that they do not interfere with use of telephones in the immediate surrounding premises.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3324

A RESOLUTION ACCEPTING WORK OF C. A. O'NEILL IN CLEARING OF LOTS AND EXCAVATION OF CANAL IN BLOCK 42, RIVIERA SECTION, AND RELEASING PERFORMANCE BOND FILED IN CONNECTION THEREWITH.

WHEREAS by Resolution No. 2973, passed and adopted December 4, 1947, C. A. O'Neill was granted permission to clear all lots and to excavate canal as platted in Block 42, Riviera Section, on condition, among other things, that the contractor furnish a \$3000 performance and cleanup bond guaranteeing completion by a stated date of the excavation, cleanup of canal and removal of all spoil or fill deposit therein or on the banks thereof during such operations; and

WHEREAS by Resolutions Nos. 3073 and 3171 the date of completion of such project was advanced to July 18, 1949; and;

WHEREAS it appears that the lot clearing and canal excavation has now been completed in accordance with authority granted and that the contractor has performed all his operations in connection with such project;

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

That the clearing of all lots and excavation of canal to platted width in Block 42 Riviera Section, as performed by C. A. O'Neill, is hereby accepted as being in accordance with permission and authority granted and the proper officers of the city are hereby authorized and directed to effect a release of the \$3000 performance and cleanup bond heretofore filed with the city by Mr. O'Neill.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3325

A RESOLUTION EXTENDING TIME OF COMPLETION OF CANAL EXCAVATION IN BLOCKS 24A, 25A AND 26, RIVIERA SECTION.

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

That Better Homes Investment Co. is hereby granted an extension of time to December 1, 1949 for completion of canal excavation in Blocks 24A, 25A and 26, Riviera Section Part 1, Coral Gables, pursuant to terms of Resolutions 2661 and 3071 as modified and amended by Resolution 3253 passed and adopted June 21, 1949; this extension is granted upon the express condition that all bonds, deposits and insurance required under said Resolutions 2661 and 3071 remain in full force and effect (with all necessary changes to comply with terms of Resolution 3253), or are extended or rewritten to cover, to the satisfaction of the city attorney, the extended period for completion of the project as granted by this resolution.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

In connection with the excavation project and the imminent conveyance by Better Homes Investment Co. Inc. to the city of land at the corner of Blue Road and Biltmore Drive for park purposes, the City Manager requested the opinion of the Commission as to whether or not a boat slip should be built into the city park area, to permit the placing and removal of boats into and from the canal. The Commission suggested that this matter be referred to the Planning Board.

ORDINANCE NO. 619

AN ORDINANCE ADOPTING THE STATE SANITARY CODE OF THE STATE OF FLORIDA AS THE LAW OF THE CITY; PROVIDING REGULATIONS FOR THE SALE OR DISTRIBUTION OF CERTAIN DRUGS, TAINTED, DISEASED OR MISBRANDED PRODUCTS; PRESCRIBING REGULATIONS GOVERNING POTENTIAL MOSQUITO BREEDING PLACES, TOGETHER WITH OTHER HEALTH REGULATIONS; REPEALING ALL LAWS IN CONFLICT; PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; DECLARING AN EMERGENCY TO EXIST AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS BY FOUR-FIFTH VOTE OF MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Hartnett, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 619.

ORDINANCE NO. 620

AN ORDINANCE DEFINING AND PRESCRIBING CERTAIN OFFENSES AGAINST THE PEACE, SAFETY AND MORALS OF THE CITY INCLUDING DISORDERLY CONDUCT, GAMBLING, INDECENT CONDUCT, OBSTRUCTING POLICE INVESTIGATIONS AND THE REGULATION OF WEAPONS; PROVIDING A PENALTY 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 FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 620.

ORDINANCE NO. 621

AN ORDINANCE PRESCRIBING CERTAIN REGULATIONS GOVERNING THE OPERATION OF THE MUNICIPAL COURT; REGULATING THE POWERS AND DUTIES OF THE POLICE IN THE TREATMENT OF CITY PRISONERS; PRESCRIBING CERTAIN OFFENSES WHILE PRISONERS ARE IN CUSTODY; REPEALING ALL LAWS IN CONFLICT; PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; DECLARING AN EMERGENCY TO EXIST AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS BY FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 621.

ORDINANCE NO. 622

AN ORDINANCE PROHIBITING THE CIRCULATION OF OBSCENE LITERATURE OR THE PUBLICATION OF LIBELOUS MATTER IN THE CITY; DEFINING THE POWERS OF THE POLICE AND MUNICIPAL COURT IN REGARD THERE TO; REPEALING ALL LAWS IN CONFLICT; PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; DECLARING AN EMERGENCY TO EXIST AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS BY FOUR-FIFTHS VOTE OF MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 622.

ORDINANCE NO. 623

AN ORDINANCE DECLARING IT UNLAWFUL FOR ANY PERSON TO IMPERSONATE A POLICE OFFICER OF THE CITY OF CORAL GABLES, FLORIDA, OR ANY LAW ENFORCEMENT OFFICER; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT; DECLARING AN EMERGENCY TO EXIST; AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE UPON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - none.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 623.

ORDINANCE NO. 624

AN ORDINANCE DECLARING IT TO BE UNLAWFUL TO MAKE ANY UNAUTHORIZED USE OF THE PUBLIC GOLF FACILITIES AND GROUNDS IN THE CITY OF CORAL GABLES, FLORIDA; PROVIDING 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 UPON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 624.

ORDINANCE NO. 625

AN ORDINANCE PRESCRIBING REGULATIONS GOVERNING THE OPERATION OF A FIRE PREVENTION BUREAU; SPECIFYING THE REQUIREMENTS FOR THE HANDLING OF COMBUSTIBLE MATERIALS IN THE CITY; PRESCRIBING RULES AND REGULATIONS GOVERNING FIRE AND EXPLOSION SAFEGUARDS IN PLACES OF ASSEMBLAGE; REPEALING ALL LAWS IN CONFLICT; PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF; DECLARING AN EMERGENCY TO EXIST AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS BY A FOUR-FIFTH VOTE OF THE CITY COMMISSION.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for the adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 625.

The City Manager presented a letter from Mr. S. S. Pederson of Lot Headquarters, enclosing a letter from Charles A. Radway requesting cancellation of a contract now existing wherein he agreed to trade Block 7, Section A, for a 50 foot portion of Block 36A, Riviera Section, on the ground that the city has not been able to deliver merchantable title. The City Attorney reported that litigation was pending to eliminate the lien of the McGuire Judgment (being the reason merchantable title to the above property could not be conveyed at this time), and that he hoped this litigation could be brought to a successful conclusion within the next sixty days. The City Manager was directed to contact Mr. Radway and to request that he desist from cancelling this contract, pending the conclusion of the above litigation.

ORDINANCE NO. 626

AN ORDINANCE LEVYING AND IMPOSING AN EXCISE OR PRIVILEGE TAX UPON THE SALE, RECEIPT, PURCHASE, POSSESSION, CONSUMPTION, HANDLING, DISTRIBUTION AND USE OF CIGARETTES IN THE CITY OF CORAL GABLES, FLORIDA; PROVIDING FOR THE METHOD OF COLLECTION OF SAID TAX; PROVIDING FOR THE EXPENDITURE OF THE FUNDS DERIVED FROM THE COLLECTION OF SAID TAX; PROVIDING FOR THE EFFECTIVE DATE HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; DECLARING THIS TO BE AN EMERGENCY MEASURE AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS; FIXING THE EFFECTIVE DATE HEREOF AS NOVEMBER 1, 1949.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for the adoption was made by Commissioner Healy, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 626.

The City Manager advised the Commission that numerous complaints were being received concerning renting of rooms in residential areas in violation of zoning laws, and requested instructions as to action that should be taken in these cases. The City Attorney declared that he felt it necessary that the zoning law be enforced in cases where complaints were received, and requested that the City Manager arrange conferences with him for complaining witnesses in these cases. The City Attorney stated that he felt complaining witnesses should be willing to join with the city as complainants in a suit to enjoin or prosecute room renting practices. The Commission authorized the City Attorney to take necessary legal steps to abate the practice of room renting in all cases where complaints were received of the practice, and where in his judgment the evidence is sufficient to support such charges.

A lengthy discussion was then had upon the proposals presented to the city for comprehensive public liability-property damage insurance covering city vehicles and operations.

RESOLUTION NO. 3326

A RESOLUTION ACCEPTING PROPOSALS FOR
COMPREHENSIVE BODILY INJURY AND PROPERTY
DAMAGE INSURANCE FOR THE CITY.

WHEREAS, proposals have been received by the city for comprehensive public liability-property damage insurance covering city vehicles and operations to limits of \$50/100,000 bodily injury, and \$5/50,000 aggregate property damage, as follows:

Name of Company	Motor Vehicle PL-PD	Comprehensive PL-PD
American Fire and Casualty Co.	\$3,161.77	\$4,680.00*
United States Casualty Co. ...	2,616.32	5,399.19
Indemnity Insurance Co. of North America	3,246.23	4,808.00*
American Casualty Co. of Reading, Pa.....	4,039.64	4,626.70*
Public National Insurance Co. .	3,684.08	6,816.32
American Automobile Insurance Co.	3,519.00	7,442.41
General Accident, Fire and Life Assurance Corp.....	5,375.64	13,394.01*
Bituminus Casualty Co.....	4,550.00	14,505.70

* Flat rate basis; all other bids on audit basis.

AND WHEREAS, the proposal of the United States Casualty Company for public liability-property damage insurance on motor vehicles is the lowest bid therefor and meets

all spe all specification, and the proposal of the American Casualty Co. of Reading, Pa., for comprehensive public liability-property damage insurance for operations excluding motor vehicles, is the lowest bid therefor and meets specifications;

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

1. That the proposal of the United States Casualty Co. for furnishing bodily injury-property damage insurance covering all motor vehicles of the City of Coral Gables (excepting city buses); to limits of \$50/100,000 bodily injury, and \$5/50,000 aggregate property-damage, is hereby accepted, subject to the condition that there shall be specifically scheduled and listed in such policy all motor vehicles and city owned and operated special equipment as listed in Schedules I through V of the invitation to bid issued by the City of Coral Gables and dated July 20, 1949, and subject to further conditions recited below.

2. That the proposal of the American Casualty Co. of Reading, Pa., for furnishing bodily injury-property damage insurance covering all operations of the city other than motor vehicles, to limits of \$50/100,000 bodily injury and \$50/50,000 aggregate, property damage, is hereby accepted, subject to conditions recited below.

3. That the Director of Finance is hereby authorized and instructed to cancel all presently existing city insurance policies covering vehicles or operations that will be included in the above proposals, and to have said coverages included in said proposals; or in the alternative, to permit presently existing policies to continue to their expiration date, and to exclude such coverages to limits named therein from the proposed insurance listed above until their respective expiration dates, as the financial interest of the city in his judgment dictates.

4. That the proposals recited above are accepted subject to the condition that at the time such insurance is written all companies and agencies involved shall be duly licensed by the City of Coral Gables.

5. That the proposals above are accepted specifically subject to the approval of the City Attorney certifying that the insurance policies to be furnished are in accordance with the bid proposals and meet all specifications and qualifications set forth in the City's invitation to bid dated July 20, 1949.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised the Commission that he had been authorized on July 19, 1949 to negotiate new contracts with the Florida Power and Light Co. for a one year period on a new rate basis, for power furnished the City Hall, Fire and Police Station, Venetian Pool and Equipment Yard. He advised that the Florida Power and Light Co. had requested that this contract be made on a two-year basis with a privilege of extension for a like term throughout a period of five years. The Commission approved the request and authorized the execution of a contract on such terms.

The City Manager advised that the Waste Department had been incinerating garbage and trash of the City of West Miami for a price of \$1.50 a ton. He.

stated that this tentative price had been agreed upon at the institution of the City of West Miami collection service, and that it now appeared that this operation was costing the City of Coral Gables more than the fee charged. He recommended that the City of West Miami be charged a price of \$2.50 per ton for all garbage and trash incinerated by this city for West Miami. The Commission approved the new price and directed the City Manager to notify the City of West Miami of the change, and authorized the City Manager to permit incineration of garbage and trash from the City of West Miami at a price of \$2.50 per ton, on a month to month basis.

RESOLUTION NO. 3327

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-64.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended;

Centering the street right of way and widening to 18 feet with a 6 inch compacted lime rock base and surfacing with a one inch asphaltic concrete surface, machine laid, Avenue Castile from Columbus Boulevard to Alhambra Circle and Madrid Street from Coral Way to Avenue Asturia, in Section E of Coral Gables.

at an estimated cost of \$4,622.20, of which \$3,838.79 shall be apportioned to abutting properties and \$783.41 be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets, on a frontage basis, which said property is hereby designated as Improvement District H-64.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3328

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-65.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

AEA259

Widening to 18 feet where necessary, with a 6 inch compacted lime rock base and surfacing to an 18 foot width with a one inch asphaltic concrete surface, Cordova Street from Coral Way to South Greenway Drive, Avenue Castile from Columbus Boulevard to Granada Boulevard, Madrid Street from Avenue Asturia to South Greenway Drive, North Greenway Drive from Coral Way to Avenue Castile, South Greenway Drive from North Greenway Drive to Red Road, and Ferdinand Street from its junction with Alhambra Circle to Avenue Obispo, in Sections C and E, Coral Gables.

at an estimated cost of \$7,802.67, of which \$6,432.45 shall be apportioned to abutting properties and \$1,370.22 shall be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets, on a frontage basis, which said property is hereby designated as Improvement District H-65.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "N ays" - None.

RESOLUTION NO. 3329

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-66.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Resurfacing with a one inch asphaltic concrete surface to the present width of 19 feet, Avenue Obispo from Ferdinand Street to Granada Boulevard and South Greenway Drive from Granada Boulevard to a point approximately 60 feet west of the west line of Cordova Street, in Sections C and E, Coral Gables.

at an estimated cost of \$6,249.08, of which \$5,294.50 shall be apportioned to abutting properties and \$954.58 shall be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets, on a frontage basis which said property is hereby designated as Improvement District H-66.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following rollcall: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3330

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-67

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

widening each of the divided roadways to a 16 foot width where necessary, with a 6 inch compacted lime rock base and surfacing each of the divided roadways to a 16 foot width with one inch asphaltic concrete surface, Alhambra Circle from Granada Boulevard to Coral Way, in Sections C and E, Coral Gables.

at an estimated cost of \$13,593.34, of which \$10,297.57 shall be apportioned to abutting properties and \$3,295.77 shall be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property (other than center parkways), the cost of which shall be borne by the city, shall be defrayed by special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such street, on a frontage basis, which said property is hereby designated as Improvement District H-67.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3331

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-68.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Widening to 17 feet where necessary, with a 6 inch compacted lime rock base and surfacing to a 17 foot width with a one inch asphaltic concrete surface, Columbus Boulevard from Coral Way to South Greenway Drive and Columbus Boulevard from Alhambra Circle to Avenue Obispo, in Sections C and E, Coral Gables.

at an estimated cost of \$1,676.30, of which \$1,539.50 shall be apportioned to abutting properties and \$136.80 shall be apportioned to the city.

AEA259

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous of bounding and abutting upon such street, on a frontage basis, which said property is hereby designated as Improvement District H-68.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3332

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-69.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Resurfacing with a one inch asphaltic concrete surface to the present width of 14 feet, North Greenway Drive from Greenway Court to the east line of Madrid Street, in Section E, Coral Gables.

at an estimated cost of \$788.58, of which \$348.04 shall be apportioned to abutting properties and \$440.54 shall be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such street, on a frontage basis, which said property is hereby designated as Improvement District H-69.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3333

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-70

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Widening to 16 feet where necessary, with a 6 inch compacted lime rock base and surfacing to a 16 foot width with a one inch asphaltic concrete surface, each of the divided roadways of the following named street where such roadways are divided by a center parkway, and resurfacing with a one inch asphaltic concrete surface to a width of 32 feet the remaining portion of the street described below where there is no divided roadway and resurfacing with a one inch asphaltic concrete surface all crossings in the street area described below to a width equaling the existing cross street, Country Club Prado from Avenue Sevilla to the south line of Avenue San Marco extended, in Sections D and E, Coral Gables.

at an estimated cost of \$22,990.94, of which \$15,783.44 shall be apportioned to abutting properties and \$7,207.50 shall be apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property (other than center parkways), the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such street, on a frontage basis, which said property is hereby designated as Improvement District H-70.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Commissioner Mayes was excused from the meeting at this point.

ORDINANCE NO. 627.

AN ORDINANCE AMENDING SECTIONS 3, 6, 7, 9, AND 10 OF ORDINANCE NO. 568, CONCERNING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH IN THE CITY OF CORAL GABLES AND FEES AND CHARGES PAYABLE TO THE CITY OF CORAL GABLES FOR REMOVAL THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 627.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 16 TO 26 INCLUSIVE, BLOCK 36, CRAFTS SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3334

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license, permitting sale of alcoholic beverages containing not more than 14 per cent alcohol by weight for consumption on the premises, heretofore issued to Harry Shear, 207 Grand Avenue, to George Long, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3335

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license, permitting sale of alcoholic beverages containing not more than 14 per cent alcohol by weight for consumption on the premises, heretofore issued to Hillegunda de Vroedt d/b/a LaSevilla Restaurant, 2000 Ponce de Leon Boulevard, to William L. DeAnginos, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

The City Clerk noted that a cancellation notice had been received from Bituminus Casualty Corporation, cancelling the present Workmen's Compensation Excess Coverage Contract of the city as of November 1, 1949. He stated that he was seeking another source of coverage and would report to the Commission at the next meeting.

The City Clerk presented a letter from Mr. Morton B. Adams offering to purchase City of Coral Gables tax sale certificates held by the city against Lots 2 to 7 inclusive, Block 203, Riviera Section, for face amount plus one-fourth of the statutory interest due.

RESOLUTION NO. 3336

A RESOLUTION AUTHORIZING SALE OF CERTAIN TAX CERTIFICATES.

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

That the Director of Finance is hereby authorized to sell to Morton B. Adams, or his nominee, the following City of Coral Gables tax sale certificates held by the city against Lots 2 to 7 inclusive, Block 203, Riviera Section:

Date of Sale	Certificate Numbers	Face Amount
June 6, 1938	11791/96	\$ 21.72
June 5, 1939	12155/60	21.72
June 3, 1940	11952/7	21.72
June 2, 1941	11226/31	21.72
June 1, 1942	11052/57	21.72
June 7, 1943	10570/75	21.72
June 5, 1944	8273/81	14.48
July 2, 1945	5158/63	21.72
		<u>\$166.52</u>

at the full face amount thereof plus one-fourth of the statutory interest now due and owing on such certificates.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO. 514, AS AMENDED, CONCERNING LICENSE FEES FOR AMUSEMENT MACHINES OR DEVICES, COIN OPERATED VENDING MACHINES AND OTHER MACHINES OF SIMILAR CHARACTER; PROVIDING CERTAIN EXEMPTIONS FROM LICENSE FEES; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3337

A RESOLUTION APPROPRIATING FUNDS AND
AUTHORIZING ONE ADDITIONAL EMPLOYEE IN
THE DEPARTMENT OF FINANCE.

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

That the amount of \$1,575.00 is hereby appropriated
from Unappropriated Revenue of the city to Appropriation
Account 2530-101 for the fiscal year ending June 30, 1950
for the purpose of providing for the employment of one
additional bookkeeper-clerk in the Department of Finance for
the balance of said fiscal year.

Motion for its adoption was made by Commissioner Healy, seconded by
Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3338

A RESOLUTION FIXING THE DATE OF HEARING
OF APPEAL OF HENRY G. MEDLOCK FROM THE
DECISION OF THE TRIAL BOARD.

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

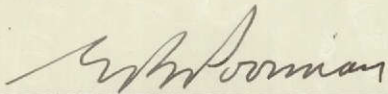
That the hearing before the City Commission upon
the appeal of Henry G. Medlock from the decision of the
Trial Board upholding his dismissal, is hereby set for
Wednesday, November 2nd, at 8 o'clock P.M., in the Commission
Chamber of the City Hall.

Motion for its adoption was made by Commissioner Hendrick, seconded by
Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" -
Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None.

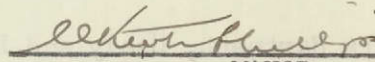
There being no other business the meeting was adjourned.

APPROVED:

ATTEST:



CITY CLERK
E. B. Poorman



MAYOR
W. Keith Phillips

MINUTES (OF REGULAR MEETING
OF THE CITY COMMISSION
OCTOBER 18, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, October 18, 1949. Mayor Phillips in the chair; Commissioners Healy, Hendrick and Mayes present. Absent: Commissioner Hartnett.

The meeting was turned over to public hearings upon confirmation of Local Improvements A-7, and H-64 to H-70 inclusive, in accordance with notices published in the Riviera-Times in accordance with the charter and after notices had been mailed to all property owners involved.

A-7. Two property owners in Block 37, Section K, one property owner in Block 20, Section K, and two property owners in Block 19, Section K, appeared to urge that the paving of alleys in those blocks be deferred. A communication from one property owner in Block 20, Section K, urged the immediate paving of the alley in that block. No objections were voiced as to the paving of alleys in Block 21, Section L; Block 25, Section K; or Blocks 4 and 9, Crafts Section.

Mr. M. B. Garris and Mr. Harley Pittman explained that the paving of the alleys in the designated blocks would alleviate the water drainage problem and would greatly reduce maintenance cost of the alley-ways.

RESOLUTION NO. 3339

A RESOLUTION CONFIRMING THE RESOLUTION
ORDERING LOCAL IMPROVEMENT A-7.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections of interested persons to the confirmation of Resolution No. 3315, passed and adopted September 20, 1949 and ordering Local Improvement A-7, and to the plans, specifications and estimates of cost of such improvement;

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

That Resolution No. 3315, passed and adopted September 20, 1949 and ordering Local Improvement A-7, be and the same hereby is confirmed, and the cost of such improvement except that part abutting city owned parkways shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner ^{Healy} ayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-70. Three property owners appeared to object to the paving of Country Club Prado on the ground that the condition of the street and the light

traffic thereon did not warrant the assessment against abutting property. Three property owners appeared to approve the improvement. Letters from two property owners were received objecting to the improvement.

RESOLUTION NO. 3340

A RESOLUTION CONFIRMING THE RESOLUTION
ORDERING LOCAL IMPROVEMENT H-70.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3333 passed and adopted October 4, 1949 and ordering Local Improvement H-70, and to the plans, specifications and estimates of cost of such improvement;

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

That Resolution No. 3333, passed and adopted October 4, 1949 and ordering Local Improvement H-70, be and the same hereby is confirmed, and the cost of such improvement, except intersections and except that portion thereof abutting city owned property other than center parkways, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None.

H-69. One property owner appeared to object to the improvement on the ground that the original paving had been assessed against property owners and that repaving could not be so assessed, and that improved paving would make more dangerous the existing curve in the street.

RESOLUTION NO. 3341

A RESOLUTION CONFIRMING THE RESOLUTION
ORDERING LOCAL IMPROVEMENT H-69.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3332 passed and adopted October 4, 1949 and ordering Local Improvement H-69, and to the plans specifications and estimates of cost of such improvement;

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

That Resolution No. 3332, passed and adopted October 4, 1949 and ordering Local Improvement H-69, be and the same hereby is confirmed, and the cost of such improvement, except intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"

Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-68. One property owner appeared to object to the improvement on the ground that traffic on the street involved did not warrant the repaving.

RESOLUTION NO. 3342

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-68.

WHEREAS the Commission of the City of Coral Gables met at 8 O'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3331 passed and adopted October 4, 1949 and ordering Local Improvement H-68, and to the plans, specifications and estimates of cost of such improvement.

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

That Resolution No. 3331, passed and adopted October 4, 1949 and ordering Local Improvement H-68, be and the same hereby is confirmed, and the cost of such improvement, except intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-67. Two property owners appeared to object to the improvement, and two property owners appeared to approve the improvement. A letter from one property owner was received objecting to the improvement.

RESOLUTION NO. 3343

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-67.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3330 passed and adopted October 4, 1949 and ordering Local Improvement H-67, and to the plans, specifications and estimates of cost of such improvement;

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

That Resolution No. 3330, passed and adopted October 4, 1949 and ordering Local Improvement H-67, be and the same hereby is confirmed, and the cost of such improvement, except intersections and except that part abutting city owned property other than center parkways, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-66. Three property owners appeared to object to the assessment, principally for financial reasons. Three property owners appeared to approve the improvement.

RESOLUTION NO. 3344

A RESOLUTION CONFIRMING THE RESOLUTION
ORDERING LOCAL IMPROVEMENT H-66.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3329 passed and adopted October 4, 1949 and ordering Local Improvement H-66, and to the plans, specifications and estimates of cost of such improvement;

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

That Resolution No. 3329, passed and adopted October 4, 1949 and ordering Local Improvement H-66, be and the same hereby is confirmed, and the cost of such improvement, except intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-65. Four property owners appeared, all approving the paving but objecting to the possible removal of the two trees immediately adjoining the roadway. The Commission agreed that the location of the new pavement should be so adjusted that such trees could be saved if it were at all possible. Inasmuch as objections were later made in Local Improvement District H-64 concerning the paving of Madrid Street, the Commission determined that one block of Madrid Street included within Improvement District H-65 should likewise be deleted.

RESOLUTION NO. 3345

A RESOLUTION AMENDING RESOLUTION NO. 3328,
ADOPTED OCTOBER 4, 1949 AND ORDERING
LOCAL IMPROVEMENT H-65, AND CONFIRMING SUCH
RESOLUTION AS AMENDED.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3328 passed and adopted October 4, 1949 and ordering Local Improvement H-65, and to the plans, specifications and estimates of cost of such improvement; and

WHEREAS objections have been made to the paving of Madrid Street, and no other objections were made or sustained;

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

1. That Resolution No. 3328, passed and adopted October 4, 1949 and entitled "A Resolution Ordering Local Improvement H-65", be and the same is hereby amended by deleting therefrom Madrid Street from Avenue Asturia to South Greenway Drive, so that Section 1 thereof shall read:

"1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Widening to 18 feet where necessary, with a 6 inch compacted lime rock base, and surfacing to an 18 foot width with a one inch asphaltic concrete surface, Cordova Street from Coral Way to South Greenway Drive, Avenue Castile from Columbus Boulevard to Granada Boulevard, North Greenway Drive from Coral Way to Avenue Castile, South Greenway Drive from North Greenway Drive to Red Road, and Ferdinand Street from its junction with Alhambra Circle to Avenue Obispo, in Sections C and E, Coral Gables.

at an estimated cost of \$7,802.67, of which \$6,432.45 shall be apportioned to abutting properties and \$1,370.22 shall be apportioned to the city."

2. That Resolution No. 3328 adopted October 4, 1949 ordering Local Improvement H-65, as amended hereby, be and the same hereby is confirmed and the cost of such improvement, except street intersections, shall be assessed against all lots and lands adjoining or abutting upon such improvement.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

H-64. Three property owners appeared to approve the proposed repaving of Avenue Castile, suggesting, however, that the existing trees adjacent to the roadway be preserved if possible. The same three property owners objected to the paving of Madrid Street upon the ground that traffic on that street did not warrant the expenditure. The Commission determined that Madrid Street should be deleted from the improvement.

RESOLUTION NO. 3346

A RESOLUTION AMENDING RESOLUTION NO. 3327, ADOPTED OCTOBER 4, 1949 AND ORDERING LOCAL IMPROVEMENT H-64, AND CONFIRMING SUCH RESOLUTION AS AMENDED.

WHEREAS, the Commission of the City of Coral Gables met at 8 o'clock P.M., October 18, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the City of Coral Gables, to hear all objections presented by interested parties to the confirmation of Resolution No. 3327 passed and adopted October 4, 1949 and ordering Local Improvement H-64, and to the plans, specifications and estimates of cost of such improvement; and

WHEREAS objections have been made to the paving of Madrid Street from Coral Way to Avenue Asturia, and no other objections were received or sustained;

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

1. That Resolution No. 3327, passed and adopted October 4, 1949 and entitled "A Resolution Ordering Local Improvement H-64", be and the same hereby is amended by deleting therefrom Madrid Street from Coral Way to Avenue Asturia, so that Section 1 thereof shall read:

"1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Centering in the street right of way and widening to 18 feet with a 6 inch compacted lime rock base, and surfacing with a one inch asphaltic concrete surface, machine laid, Avenue Gastile from Columbus Boulevard to Alhambra Circle, in Section E of Coral Gables.

at an estimated cost of \$4,622.20, of which \$3,838.79 shall be apportioned to abutting properties and \$783.41 be apportioned to the city."

2. That Resolution No. 3327 passed and adopted October 4, 1949 ordering Local Improvement H-64, as amended hereby, be and the same is hereby confirmed and the cost of such improvement, except street intersections, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

A number of the members of the Coco Plum Woman's Club, together with their attorney, Mr. M. B. Adams, appeared before the Commission to discuss an exception recommended by the Zoning Board of Appeals at its October 10, 1949 meeting. At this meeting a request had been made by the owners of Lots 7 to 9 inclusive, Block 206A, Riviera Section, to construct stores on such property facing south on Sunset Road instead of east on Nervia Street as now zoned. At the suggestion of the Zoning Board the owners had agreed to dedicate a 20 foot strip of land to the north of such proposed stores for alley and easement purposes.

Mr. Adams and various members of the Women's Club stated that their club house was immediately east of this property and in Block 219, Riviera Section; that Block 206A and other areas, to the west of the club building had, in 1930, been zoned for apartment and hotel use, but that the present zoning ordinance, adopted in 1937, had zoned the entire area west of Nervia Street and south of the Miami Homestead Highway for C-2 and C-3 use; that at the time the zoning ordinance was adopted the area was dormant but that since 1937 the natural development of demand and use therein was contrary to commercial zoning except on the property facing Red Road. Objection was made to the use of the lots in Block 206A for commercial store purposes and to the creation of an alley to the north of the premises, running east and west and facing the club building. It was also requested that off-street parking areas be required on this location if stores were built thereon.

The City Manager pointed out that this matter was not before this Commission as an appeal or on any change of zoning, the property in question having been zoned for commercial use for the past 12 years; he further noted that the matter was before the Zoning Board solely upon an exception concerning facing, and that it had been at the request of the Zoning Board that the owner agreed to provide a 20 foot alley on the north side of the building. He also noted that the owner had planned to use at least 100 feet of the premises for off-street parking.

The City Attorney advised the Commission that inasmuch as this property had been zoned for commercial use for some 12 years, and inasmuch as the property owner and other owners in the area had purchased their properties with notice of such zoning, the Commission, in his opinion, had no power to change zoning at this time or to prevent the construction of commercial buildings thereon.

The ruling on the exception permitting the proposed store to face on Sunset Road, as recommended by the Zoning Board, was deferred. Members of the club, together with Mr. Otto Benz, speaking for the Riviera Property Owners Association, suggested that if no preventive action could be taken in this instance, consideration should be given to a change of zoning of the remainder of the area west of Nervia Street to residential or other use more in keeping with the development of the area. The Commission pointed out that a change of zoning should be instituted by property owners affected.

RESOLUTION NO. 3347

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting October 10, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit construction of residence on south half of Lot 13 and all of Lot 14, Block 20, Country Club Section 1.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. H. W. Vanderboegh appeared before the Commission concerning the vacation of a portion of the alley in Block 199, Riviera Section. He presented

a deed conveying to the city the northeasterly 25 feet of lot 41 of such block for the purpose of providing an alternative outlet for the remainder of such alley.

ORDINANCE NO. 628

AN ORDINANCE VACATING AND DISCONTINUING THAT CERTAIN 20 FOOT ALLEY RUNNING SOUTHWESTERLY AND NORTHEASTERLY IN BLOCK 199 RIVIERA SECTION PART 14, FROM RED ROAD TO THE NORTHEASTERLY BOUNDARY LINE OF LOT 3 IN SAID BLOCK EXTENDED, ACCORDING TO PLAT THEREOF FILED IN THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TO PERMIT CONSTRUCTION OF A BUILDING OVER SAID ALLEY WHICH WOULD BE IMPOSSIBLE WITHOUT SUCH VACATION AND DISCONTINUANCE.

which was read by title and adopted on first reading July 5, 1949, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 628.

Mr. William Black appeared before the Commission to request that the Commission direct that a certificate of occupancy be granted for a residence at 1103 Coral Way, built by Mr. L. W. Horne. This residence had not been built in accordance with the plans therefor as approved by the Board of Architects. Exterior moulding around the windows and a brick veneer front on garage columns had been omitted, although appearing on the plans as approved, and the contour of the wall on the west side of the building had been changed from that shown on the approved plans. Mr. Black declared that such changes were minor and immaterial, and that certificate for occupancy should not be withheld on that ground. The Board of Architects had ruled that such changes were material, and had refused to approve such changes. The Zoning Board of Appeals on October 10, 1949 had upheld the ruling of the Board of Architects. The Commission declined to take action in the matter in the absence of an opportunity of hearing the reasons of the Board of Architects for their decision. Mr. Black was instructed to file a formal appeal in accordance with regular procedure.

The City Manager advised the Commission that Miami Transit Route 34, which had been permitted to operate through Coral Gables, had been discontinued since the municipal bus service was extended to 20th Street Housing Project.

The City Manager requested authority to install a traffic signal light at the intersection of Blue Road and University Drive, funds for which had been included in the current budget. The request was approved.

The City Manager advised that he had received a communication from the Riviera Property Owners Association, recommending four sites for a proposed yacht basin. The recommendation was referred to the Planning Board for study.

The City Manager reported that he had received a request that the city furnish free bus transportation to the University of Miami-Maryland football game in December for 300 "Hi-Y" boys who would be assembled in this area at a meeting at that time. He advised that it would not be possible to handle this number of boys, but was authorized by the Commission to offer city bus facilities free to approximately 100 of that club.

The City Manager advised that he desired to publish for bids for re-surfacing of Columbus Plaza at a cost of \$1,100, and requested authority to have such bids returnable to his office, after which such bids could be tabulated and referred to the Commission for acceptance. This procedure was approved.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271,
PASSED AND ADOPTED FEBRUARY 16, 1937
AND KNOWN AS THE "ZONING ORDINANCE", AS
TO ZONING REQUIREMENTS OF LOTS 1 TO 6
INCLUSIVE, BLOCK 206A, RIVIERA SECTION;
AND REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE 629

AN ORDINANCE AMENDING ORDINANCE NO. 271,
PASSED AND ADOPTED FEBRUARY 16, 1937
AND KNOWN AS THE "ZONING ORDINANCE", AS
TO ZONING REQUIREMENTS OF LOTS 16 TO 26
INCLUSIVE, BLOCK 36, CRAFTS SECTION;
AND REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading October 4, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 629.

10-18-49

AEA259

RESOLUTION NO. 3348

A RESOLUTION AUTHORIZING TRANSFER
OF RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14 per cent alcohol by weight for consumption on the premises, heretofore issued to John W. Shaffer and Hazel W. Shaffer d/b/a Nook Bar and Grill, 255 Avenue Minorca, to Dean E. Draher d/b/a Nook Bar and Grill, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any favorable criminal record of the transferees.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3349

A RESOLUTION AUTHORIZING ISSUANCE
OF RETAIL BEVERAGE STORE LICENSE.

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

That the issuance of retail beverage store license, permitting the sale of alcoholic beverages containing not more than 14 per cent of alcohol by weight for consumption on the premises, to James N. Mariolis and Thomas Smith d/b/a the New Ponce Restaurant, 2317 Ponce de Leon Blvd., is hereby authorized and approved, on the ground that said business is a bona fide restaurant of a seating capacity of more than 50 persons, subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the owners of such business.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk advised that he had received a letter from Coral Gables Post 98, American Legion, stating that the designation "official" would be deleted from the 1950 and subsequent business directories published by the Post.

Mayor Phillips brought up the matter of the adoption by this city of the Miami building code. The City Manager advised that the code was in a tentative form at this time, and that because of numerous changes to meet the requirements of this city consideration was being given as to whether or not a separate code should be printed for this city rather than adopting the Miami code by reference. The City Attorney advised that the new code should not be adopted by reference.

Commissioner Hendrick inquired as to the policy of the Police Department in the enforcement of Ordinance No. 622, which covers the sale and distribution

of publications devoted to news and stores of criminals and crime. He pointed out that several sellers of comic books and detective magazines were concerned as to the interpretation of this ordinance. The City Manager advised that the Police Department was giving this subject serious study, and that no action would be taken under such ordinance without adequate explanation and warning to sellers.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

AEA259

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
OCTOBER 25, 1949.

The Commission of the City of Coral Gables convened in special session at the City Hall at 9:00 o'clock A.M., Tuesday, October 25, 1949, pursuant to call and notice thereof. Mayor Phillips in the Chair; Commissioners Healy, Hendrick and Mayes present. Absent: Commissioner Hartnett.

The meeting was called for the purpose of considering a request for an exception to the Zoning Ordinance to permit construction of stores, on Lots 7 to 9 inclusive, Block 206A, Riviera Section, facing south on Sunset Road instead of east on Nervia Street. Present at the meeting were Mr. Donald Peck, Secretary of the Riviera Property Owners Association, Mrs. Farrington, President of the Coco Plum Woman's Club, and several members of the club. After discussion as to conditions under which the proposed exception should be allowed, all parties agreed to the conditions set forth below, and objections on the part of the Woman's Club were withdrawn.

RESOLUTION NO. 3350

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE."

WHEREAS, the Zoning Board of Appeals at its regular meeting October 10, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

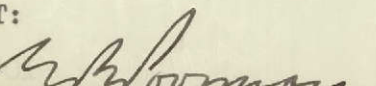
Permit construction of stores on Lots 7 to 9 inclusive, Block 206A, Riviera Section Part 14, facing diagonally on Sunset Road and Nervia Street, subject to the following conditions:

1. Recessed garbage cans and a screened, enclosed area for trash will be used for the stores upon the premises.
2. The owner of the premises will execute and record a restrictive covenant providing for a 10 foot setback from Sunset Road and Nervia Street throughout the entire property.
3. That the owner of the premises will dedicate a 15 foot east and west strip north of and adjacent to the proposed building for easement purposes.

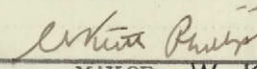
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

ATTEST:


CITY CLERK, E. B. Poolman

APPROVED:


MAYOR, W. Keith Phillips

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
NOVEMBER 1, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, November 1, 1949. Mayor Phillips in the chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of regular meetings of September 20, October 4 and October 18, 1949, and of special meeting of October 25, 1949, were read and approved.

The meeting was then turned over to a public hearing upon the request of the Granada Presbyterian Church for the passage of an ordinance permitting the construction of a church upon Lots 1 to 5 inclusive, and 18 to 24 inclusive, Block 49, Country Club Section Part 3, Coral Gables, which request was disapproved by the Zoning Board of Appeals after a public hearing thereon before such Board on October 10, 1949. Notice by mail had been given to owners of all property located within a 500 foot radius of the property in question.

Mr. W. J. McLeod, Jr., Chairman of the Board of Deacons of the Granada Presbyterian Church, spoke for the church. He advised that the instant property had been purchased by the church in 1948, after officials of the church had been advised by employees in the zoning office that the use of such property for a church was permitted, and that a church was permitted under the Zoning Ordinance in any residential area in the city at that time. He stated that the church had incurred expense and debt in preparation of plans to build upon this property before Ordinance No. 602 was passed in April, 1949, requiring a special ordinance for permission to construct a church in residential areas. He declared that this side had been, by the church's purchase and preparation of plans, reserved for church use prior to the passage of Ordinance No. 602, and that under the circumstances the Commission should permit a church upon the site. He added that no practical sites were available in non-residential areas in this city, and submitted that good zoning and planning required diversification of church sites, now limited generally to the northeastern section of the city.

He questioned that the construction of a church would devalue residential property in the area, declaring that numerous property owners believed that their value would be enhanced by a church; he stated that the church planned to meet any parking problem that may arise by providing a space on the site for the parking of some 76 cars, which space would be available at least until completion of the entire church plan, and added that angle parking on the perimeter of the property would permit 60 cars to park without being on the street surface; he

declared that the church had employed a traffic engineer, who after a study had come to the conclusion that a church at this location would not be a traffic hazard, and that adequate traffic safeguards were provided by the traffic light at Bird Road and Granada Boulevard. He also pointed out that all owners of residence property in the area had purchased their property under a zoning law that at that time permitted churches to be located anywhere in residential areas, and declared that a permit to construct a church at this location did not amount to any change in zoning inasmuch as church construction was permitted at the time the property was purchased.

The City Clerk noted the receipt of letters from 9 non-resident property owners and 1 resident property owner in the 500 foot radius, supporting the request for a church; and 31 similar letters from persons not property owners in the affected area, 6 of whom were not residents of the City of Coral Gables, and 15 of whom had identified themselves as members of the church in question. Letters were also received approving the church from the Coral Gables Ministerial Association, the Executive Committee of Home Missions, Atlanta, the Director of the International Bureau of Architects, New York, and the Presbytery of St. Johns, Miami.

Eight owners of property within the affected area, 7 of whom were residents therein, appeared to object to the permitting of a church at the requested location. Such owners contended that they had purchased or built homes in this area with the assurance that the property was restricted to residences, and declared that the construction of a church would lower the value of all adjacent property. The objectors also pointed out that the parking area contemplated was insufficient to meet the needs of the church, and that parking around the church property and in front of homes in the area would be inevitable and would create congestion and an undesirable problem to all residents. Some objectors also expressed the fear that the construction of a church on this site would lead to lowering of zoning of adjacent property on Bird Road, which, they claimed, would further devalue their property.

The City Clerk noted the receipt of letters from 5 other owners of property within the affected area, protesting against the construction of a church at that site.

The City Attorney advised the Commission that the power of the Commission to permit or to prohibit the construction of a church upon the instant site was based upon the question of the safety, health and welfare of the public.

He declared that he would render an opinion to the Commission at the earliest possible time. The Commission then took the matter under advisement.

Mr. George W. Clemmons appeared to appeal from a ruling of the Zoning Board of Appeals on October 24, 1949, denying a request for an exception to erect a vertical sign at 243 Avenue Alcazar for the Coral Gables Paint Co. The proposed sign complied with building and zoning regulations except that it was not to be of masonry construction and built as an integral part of the building. Commissioner Healy moved that the exception be allowed, subject to the approval of the structural engineer. The motion was seconded by Commissioner Hendrick. On roll call Commissioners Hartnett and Mayes voted "Nay", and Commissioners Healy, Hendrick and Mayor Phillips voted "Yea". Inasmuch as the Zoning Ordinance requires four-fifths vote of the City Commission to approve any variation which has not been approved by the Zoning Board of Appeals, the motion failed.

A discussion followed concerning the policy to be adopted as to such signs, and whether or not such signs should be permitted generally. On motion of Commissioner Mayes, seconded by Commissioner Hartnett and unanimously passed, the question was referred to the Zoning Board of Appeals with the request that such Board make a recommendation to the City Commission as to the policy to be adopted in these matters.

Mr. William Black appeared to appeal from a ruling of the Zoning Board of Appeals on October 10, 1949, denying approval of the residence constructed at 1103 Coral Way by Mr. L. W. Horne, on the ground that the residence had not been built in accordance with plans therefor as approved by the Board of Architects. Mr. George Fink of the Board of Supervising Architects was present and explained that the Board of Architects had found that the changes from the plans were material and had refused to approve such changes. On motion of Commissioner Hartnett, seconded by Commissioner Mayes and unanimously passed, the matter was referred to the Board of Supervising Architects with authority to accept and approve such changes from the original plans as the Board deemed proper and expedient; the Board of Architects to advise the Building Department of agreed changes.

Mr. Daniel Frankel appeared before the Board to request an exception to permit construction of a cafeteria with drive-in restaurant service on Lots 18 to 31 inclusive, Block 5, Crafts Section. The Commission expressed their disapproval of any exception permitting a drive-in restaurant within the city, and no action was taken on the request.

RESOLUTION NO. 3351

A RESOLUTION APPROPRIATING \$250.00 FOR
DEFRAYING EXPENSE OF NATIONAL BOXING
ASSOCIATION CONVENTION, FOR THE PURPOSE
OF PUBLICIZING THE CITY.

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

That the sum of \$250.00 be and hereby is appropri-
ated from funds collected from the admission tax and held
to the credit of the Athletic Commission, to assist in
defraying of expenses of the annual National Boxing
Association convention to be held this month in the Miami
area, for the purpose of publicizing the City of Coral Gables.

Motion for its adoption was made by Commissioner Mayes, seconded by
Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" -
Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted receipt of a letter from the Walter Butler
Company advising that the company had been preparing a proposal to submit concern-
ing the construction and financing of a new bus terminal, and that it needed a
commitment from the city pledging all bus revenues before capital expenditures.
The Commission noted that the Butler Company's proposal should be submitted with
such condition attached if it so desired, but that they felt that such a commit-
ment was more than should be required under the circumstances.

The City Manager recommended the purchase of a Ford 8N Tractor with a
70" Agrico-tractor whirl cutter to be attached thereon for use in mowing parkways.
He pointed out that this was the first time such equipment had become available,
and it was available only at one source. He recommended its purchase upon the
ground that its use should reduce cost of parkway mowing.

RESOLUTION NO. 3352

A RESOLUTION AUTHORIZING PURCHASE OF A
FORD TRACTOR AND WHIRL CUTTER.

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

That the City Manager be and he hereby is author-
ized to purchase a Ford 8 NTractor and a 70" Agrico-Tractor
whirl cutter to be mounted thereon, at a total cost of
\$1990.13, for use in the Parks Department.

Motion for its adoption was made by Commissioner Mayes, seconded by
Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"
- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3353

A RESOLUTION REJECTING ALL BIDS FOR THE
RESURFACING OF COLUMBUS PLAZA, AND
AUTHORIZING THE WORK TO BE DONE BY CITY
FORCES AND ON A PURCHASE AND HIRE BASIS.

WHEREAS bids were requested, after due publication and notice, for the resurfacing of Columbus Plaza, and bids were received as follows: Asphalt Paving Co., 67¢ per square yard; E.E. Collins Construction Co., 72¢ per square yard; and Troup Bros. Inc., \$1.10 per square yard; and

WHEREAS it is the opinion of the Commission that all such bids are unreasonably high, and that the resurfacing of Columbus Plaza could be accomplished by city forces and on a purchase and hire basis at a savings under the prices bid;

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

That all bids submitted as above recited are hereby rejected, and the City Manager is hereby authorized and directed to resurface Columbus Plaza with use of city forces and upon a purchase and hire basis.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted that Biltmore Drive as it presently exists would soon be closed when the canal in Block 24-A, Riviera Section, is extended through to the main canal. He recommended that that portion of Biltmore Drive north of the canal and Avenue San Jeronimo be consolidated under the name Jeronimo Drive, declaring that the consolidation of these streets between the arterial streets Granada Boulevard and Riviera Drive should greatly assist the public in the identification and location of such street and the area in general.

RESOLUTION NO. 3354

A RESOLUTION CHANGING THE NAMES OF A PORTION OF BILTMORE DRIVE, AND AVENUE SAN JERONIMO, TO JERONIMO DRIVE.

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

That the names of Biltmore Drive, from Granada Boulevard to its junction with Avenue San Jeronimo, and the name of Avenue San Jeronimo, from Biltmore Drive to Riviera Drive, be and the same hereby are changed to Jeronimo Drive.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3355

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS; the Zoning Board of Appeals at its regular meeting October 24, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

- 1. Permit replacement of electric stove with gas stove in garage apartment, and moving sink from second floor to first floor thereof, at 1531 Avenue Saragossa.
- 2. Permit operation of tube bending business at rear of store at 5138 S. W. 8th Street, on condition that if any justifiable complaints arose as to noise of operations, such operations would be stopped.
- 3. Permit side setback of 15 feet from Avenue Santander, on Lot 39, Block 31, Crafts Section.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3356

A RESOLUTION APPROPRIATING \$250.00 TO THE METROPOLITAN MIAMI FISHING TOURNAMENT FOR THE PURPOSE OF PUBLICIZING THE CITY.

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

That the sum of \$250.00 be and the same hereby is appropriated, from Appropriation Account 2570-231, to the Metropolitan Miami Fishing Tournament for the purpose of publicizing the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3357

A RESOLUTION AMENDING SECTION 1-D OF RESOLUTION 3301 CONCERNING GREENS FEES FOR THE CORAL GABLES BILTMORE AND GRANADA GOLF COURSES.

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

That Section 1-D of Resolution No. 3301 passed and adopted September 6, 1949, be and the same hereby is amended so that the same shall read:

D. Greens Fees - Coral Gables Country Club Members

The following greens fee rates shall be applicable only to members of the Coral Gables Country Club, upon written authorization from officials of such club:

- GRANADA - (13) Annual greens fees\$36.00
 - (a) For spouse and each additional member of family under 21 years of age. 12.00

BILTMORE - GRANADA (permitting use of both courses)

(14) Annual greens fees\$75.00

(a) For spouse and each additional member of family under 21 years of age 25.00

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "N ays"- None.

ORDINANCE NO. 630

AN ORDINANCE AMENDING ORDINANCE NO. 271, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE", AS TO ZONING REQUIREMENTS OF LOTS 1 TO 6 INCLUSIVE, BLOCK 206A, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading October 18, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 630.

RESOLUTION NO. 3358

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL PACKAGE LIQUOR STORE LICENSE.

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

That the transfer of regail package store license heretofore issued to Arthur Brown d/b/a Dennis Murphy International Liquor Shoppe, at 1828 Ponce de Leon Blvd., to Gables Beverages Inc., is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal records of any of the officers of the transferee.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3359

A RESOLUTION AUTHORIZING THE PURCHASE OF WORKMEN'S COMPENSATION EXCESS COVERAGE INSURANCE.

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

AEA259

That the proper city officials are hereby authorized to secure from Lloyds of London, and through Excess Underwriters, Inc., a contract for Workmen's Compensation excess coverage, insuring the city for all Workmen's Compensation losses in excess of \$7500 one accident, to a maximum of \$257,500, at a rate of 8¢ per \$100 of pay roll.

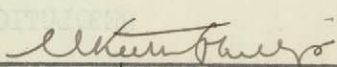
Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Commissioner Hendrick brought to the attention of the Commission the desire of the Junior Chamber of Commerce to place a cold drink machine in the present bus terminal. The matter was referred to the City Manager and Commissioner Hendrick to determine a proper location therefor.

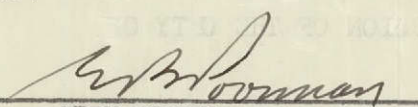
Commissioner Hendrick noted that certain property owners had inquired whether or not the city would allow them to have sidewalks on their property removed. The Commission stated that they did not feel it was desirable for individual owners of residence property to remove sidewalks on the individual properties, but felt that if the owners of all property on one side of an entire block desired the removal of the sidewalk, that such removal would be permitted, if there were no particular need for a sidewalk at that point.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:


CITY CLERK
E. B. Poorman

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
NOVEMBER 2, 1949

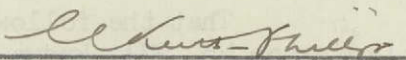
The Commission of the City of Coral Gables convened in special session at the City Hall at 8:00 o'clock P.M., Wednesday, November 2, 1949, for the purpose of hearing the appeal of Mr. Henry G. Medlock from a decision of the Trial Board sustaining his dismissal from service of the city. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Mr. Medlock was represented by Attorneys Hollis Rinehart and Webster G. Wallace. The city was represented by Attorney William Brown and City Attorney E. L. Semple.

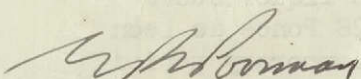
After hearing arguments of counsel the Commission took the matter under advisement.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:



CITY CLERK
E. B. Poorman

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
NOVEMBER 15, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, November 15, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meeting of November 1, and of the special meeting November 2, 1949, were read and approved.

Mr. and Mrs. W. D. Oglesby, 706 Coral Way, appeared before the Commission to request the closing of the east 150 feet of the east and west alley in Block 1, Biltmore Section, between Coral Way and Biltmore Way west of Cardena Street, offering to convey or dedicate other property owned by them in such block for a new alley outlet. No action was taken.

RESOLUTION NO. 3364

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

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

That the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be and the same hereby is granted:

Permit transfer of retail package liquor store license of Gables Beverages, Inc., from 1828 Ponce de Leon Blvd., to 2608 Ponce de Leon Blvd., for a temporary period not to exceed one year.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk then opened sealed bids received from contractors for paving work in the City of Coral Gables designated as Local Improvements A-7, H-64, H-65, H-66, H-67, H-68, H-69 and H-70, in accordance with advertisement for such bids. After opening of bids and discussion thereon the bids were referred to the City Manager for tabulation and recommendation.

RESOLUTION NO. 3365

A RESOLUTION AUTHORIZING AN EXCEPTION
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting November 14, 1949 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

Permit construction of veterinary clinic per plans and method of operation submitted on Lots 7 and 8, Block 1, Industrial Section.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Harry Rath, Principal of Ponce High School, and Mr. William Garland, school board architect, appeared to discuss with the Commission the plans for the new Coral Gables Senior High School. Mr. Garland explained at some length the plans of the new school, and exhibited to the Commission a scale model of the school. The Commission requested that a meeting of the City Commission and the school board be arranged in the near future, by the City Manager and Mr. Garland, so that the school plans might be discussed further, and stated that it felt that a public meeting should be held where the school board could be present to make the school plans known to the interested citizens of this city.

The City Manager recommended the passage of the following resolution:

RESOLUTION NO. 3366

A RESOLUTION AUTHORIZING THE PAYMENT OF \$5000.00 TO THE UNIVERSITY OF MIAMI.

WHEREAS the University of Miami desires and has offered to have paved University Drive from Campo Sano to Miller Drive on the Main campus, at its expense and at the expense of other abutting property owners with whom the University has or will come to an agreement concerning the sharing of the cost thereof, and the paving of such street will be of great benefit to the city; and

WHEREAS the city has appropriated to the University of Miami for the fiscal year 1949-1950 the sum of \$25,000, and the payment at this time of \$5000 of said appropriation will assist the University in such paving project;

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

That the proper city officers are hereby authorized and directed to pay the sum of \$5000 to the University of Miami from Appropriation Account 2570-211B, upon request of the University.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager brought up for discussion the adoption of the Miami Building Code by reference, which had been recommended by a group of contractors and others in the building trades. The City Manager noted that the present Miami Building Code is an interim code and is expected to be superseded by a

permanent code within the next two years. The City Attorney advised against adoption of such code without specific examination of each section thereof to insure that variances from such code required by city ordinances were retained. No action was taken.

The City Manager discussed with the Commission the needs of the Federal Housing Administration, presently occupying the third floor of the City Hall under a lease, for at least 1000 square feet of additional space. He stated that F. H. A. felt their present quarters were inadequate for their needs and there was a strong likelihood that the agency would be removed out of Coral Gables, inasmuch as adequate space was not available at the present time in this city. Commissioner Hartnett emphasized the benefits to the City of Coral Gables through the location of the F.H.A. office in this city and the advisability of efforts on the part of the city to retain the agency.

RESOLUTION NO. 3367

A RESOLUTION AUTHORIZING THE TEMPORARY
USE BY F.H.A. OF THE SECOND FLOOR OF THE
CITY HALL.

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

That for the purpose of retaining the Federal Housing Administration office within the City of Coral Gables, and so that the benefits received by the city may be retained, the City Manager is hereby authorized to arrange, by amendment of the existing F.H.A. lease or otherwise, for that agency's temporary use of the second floor of the City Hall, with an equitable proportionate increase of rent, pending availability of other adequate space within the City of Coral Gables, and in any event for a period not to exceed one year; the City Manager is further authorized to arrange for the moving of the second floor city offices to the third floor of the City Hall.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271
KNOWN AS THE "ZONING ORDINANCE" AS AMENDED,
AS TO ZONING REQUIREMENTS OF LOTS 17 TO 25
INCLUSIVE, BLOCK 19, RIVIERA SECTION; AND
REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES IN CONFLICT HERewith.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

AEA259

Discussion was had upon the appeal from a ruling of the Zoning Board denying a request for an exception to erect a vertical sign for the Coral Gables Paint Co., such sign complying with building and zoning regulations except that it was not to be of masonry construction and built as an integral part of the building. This matter had been before the Commission at its meeting of November 1, 1949 and had been referred back to the Zoning Board with a request that such board make a recommendation to the City Commission as to a general policy to be adopted in such situations. It was noted that the Zoning Board at its meeting November 14, 1949, had made a recommendation that the existing sign ordinance should be strictly adhered to, meaning that no future exceptions of this nature should be granted. Commissioner Healy then moved that an exception be granted for the particular sign proposed for the Coral Gables Paint Co. The motion failed for want of a second.

Discussion was had upon the provisions of the city ordinances prohibiting the repainting of signs presently on awning valances, but no action was taken.

Discussion was had concerning the advisability of an amendment to Ordinance No. 456, requiring cash deposit by contractors before clearing and excavating lots to insure reimbursement to the city and neighboring property owners for any damage which might result from such operation, to permit filing of a \$1000 surety bond by contractors who have repeated work of this kind in lieu of cash deposits in each case. No action was taken.

RESOLUTION NO. 3368

A RESOLUTION REAPPOINTING WALLACE E. HACKETT TO THE TRIAL BOARD OF THE CITY OF CORAL GABLES.

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

That Wallace E. Hackett be and he hereby is re-appointed as a member of the Trial Board of the City of Coral Gables, for a two-year term beginning December 1, 1949.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3369

A RESOLUTION REAPPOINTING A. B. MORRISON AS A MEMBER OF THE BOARD OF TRUSTEES OF THE CORAL GABLES RETIREMENT SYSTEM.

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

That A. B. Morrison be and he hereby is re-appointed as a member of the Board of Trustees of the Coral Gables Retirement System, for a five-year term beginning January 1, 1950.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 631

AN ORDINANCE AMENDING SECTION 28 OF ORDINANCE NO. 514, KNOWN AS THE "OCCUPATIONAL LICENSE ORDINANCE", AS AMENDED, BY FURTHER DEFINING AMUSEMENT MACHINES, AND PROVIDING FOR CERTAIN EXEMPTIONS FROM LICENSE, ACCORDING TO STATE LAW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Hartnett, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 631.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 514 KNOWN AS THE "OCCUPATIONAL LICENSE ORDINANCE", AS AMENDED, CONCERNING THE LICENSE FEE FOR MACHINES VENDING CERTAIN MERCHANDISE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

E. B. Poorman
CITY CLERK

E. B. Poorman

W. Keith Phillips
MAYOR

W. Keith Phillips

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
NOVEMBER 29, 1949

The Commission of the City of Coral Gables convened in special session at the City Hall at 8:00 o'clock P.M., Thursday, November 29, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was then turned over to consideration of bids for paving work in the City of Coral Gables, designated as Local Improvements A-7, H-64, H-65, H-66, H-67, H-68, H-69 and H-70, such bids having been received at the regular meeting November 15, 1949, and at that time referred to the City Manager for tabulation and recommendation. The City Manager recommended the acceptance of the lowest bid for each improvement, and the following resolutions were presented and read:

RESOLUTION NO. 3370

A RESOLUTION ACCEPTING A BID OF BROOKS PAVING COMPANY FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT A-7, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids on alley paving designated as Local Improvement A-7, and bids therefor were received as follows:

<u>Name</u>	<u>Price per Square Yard</u>
Troup Bros. Inc.	\$.95
Belcher Oil Co.	.84
Williams and Stockton	.76
Brooks Paving Co.	.67½
L. C. Morris	.77½
McFarlin Construction Co.	.91
W. T. Price Dredging Co.	.71½

AND WHEREAS, the bid of Brooks Paving Co. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Brooks Paving Co. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Brooks Paving Co. for work authorized under Resolution No. 3315 and designated as Local Improvement A-7, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3371

A RESOLUTION ACCEPTING BIDS FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENTS H-64, H-65, H-66, H-67, H-68, H-69, AND H-70, AND AUTHORIZING THE EXECUTION OF CONTRACTS THEREFOR.

WHEREAS, pursuant to the city charter the City Clerk has advertised for bids on the street paving designated as Local Improvements H-64, H-65, H-66, H-67, H-68, H-69 and H-70, and bids for the paving work in each improvement were received as follows:

	Price Per Square Yard
<u>H-64</u> - Troup Bros. Inc.	\$.93
Asphalt Paving Co.	.98
L. C. Morris	1.05
H. L. Mills Construction Co.	1.12
E. E. Collins Construction Co.	1.10
<u>H-65</u> - Troup Bros. Inc.	.725
E. E. Collins Construction Co.	.75
Asphalt Paving Co.	.70
<u>H-66</u> - Troup Bros. Inc.	.67
Asphalt Paving Co.	.59
<u>H-67</u> - Troup Bros. Inc.	.63
Asphalt Paving Co.	.65
E. E. Collins Construction Co.	.73
<u>H-68</u> - Troup Bros. Inc.	.67
Asphalt Paving Co.	.625
<u>H-69</u> - Troup Bros. Inc.	.65
Asphalt Paving Co.	.60
<u>H-70</u> - Troup Bros. Inc.	.65
Asphalt Paving Co.	.585
E. E. Collins Construction Co.	.67

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

1. That the above recited bid of Troup Bos. Inc. for paving work designated as Local Improvement H-64 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Troup Bros. Inc. for the work authorized under Resolution 3327 and designated as Local Improvement H-64, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

2. That the above recited bid of the Asphalt Paving Co. for paving work designated as Local Improvement H-65 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Asphalt Paving Co. for the work authorized under Resolution 3328 and designated as Local Improvement H-65, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

3. That the above recited bid of the Asphalt Paving Co. for paving work designated as Local Improvement H-66 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager

and City Clerk are hereby authorized to execute a contract with the said Asphalt Paving Co. for the work authorized under Resolution 3329 and designated as Local Improvement H-66, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

4. That the above recited bid of Troup Bros. Inc. for paving work designated as Local Improvement H-67 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Troup Bros. Inc. for the work authorized under Resolution 3330 and designated as Local Improvement H-67, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

5. That the above recited bid of the Asphalt Paving Co. for paving work designated as Local Improvement H-68 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Asphalt Paving Co. for the work authorized under Resolution 3331 and designated as Local Improvement H-68, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

6. That the above recited bid of the Asphalt Paving Co. for paving work designated as Local Improvement H-69 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Asphalt Paving Co. for the work authorized under Resolution 3332 and designated as Local Improvement H-69, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

7. That the above recited bid of the Asphalt Paving Co. for paving work designated as Local Improvement H-70 is hereby determined to fully meet specifications and to be the lowest and most advantageous bid to the city therefor, and such bid is hereby accepted; that the City Manager and City Clerk are hereby authorized to execute a contract with the said Asphalt Paving Co. for the work authorized under Resolution 3333 and designated as Local Improvement H-70, based upon the above recited bid therefor and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney stated that he had had a request from the Earl Billings Music Store to install loud speakers during the Christmas season to broadcast Christmas music originating in the store. The question as to whether or not such musical broadcasts should be allowed was discussed, and it was decided that such request should be referred to the Christmas Committee of the Chamber of Commerce, and that Mayor Phillips be delegated to grant or refuse such request based upon the recommendations of such committee.

The matter of the Federal Housing Administration temporarily occupying the second floor of the City Hall was discussed, and a decision was deferred to the next regular meeting.

A letter was presented from Mr. George Clemmons requesting a further review by the City Commission of the denial of an exception permitting a vertical sign for the Coral Gables Paint Co. Commissioner Mayes moved and Commissioner Hartnett seconded the motion, that the question not be reconsidered. On roll call Commissioners Hartnett, Hendrick, Mayes, and Mayor Phillips voted "Yea"; Commissioner Healy voted "Nay".

RESOLUTION NO. 3372

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meetings November 16 and 28, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of store building on Lots 1 to 4 inclusive, and the southwest half of Lots 41 to 44 inclusive, Block 199, Riviera Section, facing west on Red Road instead of northwest on Dixie Highway.
2. Permit construction of residence on Lot 9 and east 35 feet of Lot 8, Block 34, Section B, facing on South Greenway Drive instead of Avenue Castile.
3. Permit construction of residence on Lots 11 and 12, Block 67, Riviera Section, facing north on Avenue Cecelia instead of east on Alhambra Circle, on condition that property owners across the street from such property on Alhambra Circle have no objections to such facing.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "N ays" - None.

RESOLUTION NO. 3373

A RESOLUTION EXTENDING TIME OF COMPLETION
OF CANAL EXCAVATION IN BLOCKS 24A, 25A
AND 26 IN RIVIERA SECTION.

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

That Better Homes Investment Co. is hereby granted a further extension of time to February 1, 1950, for completion of canal excavation in Blocks 24A, 25A and 26, Riviera Section, Coral Gables, pursuant to the terms of

Resolutions 2661 and 3071, as modified and amended by Resolutions 3253 passed and adopted June 21, 1949, and Resolution 3325 passed and adopted October 4, 1949; this extension is granted upon the express condition that all bonds, deposits and insurance required under the above described resolutions remain in full force and effect, or are extended or rewritten to cover, to the satisfaction of the City Attorney, the extended period for completion of the project as granted by this resolution.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney presented to the Commission his written opinion concerning the request of the Granada Presbyterian Church to construct a church on Lots 1 to 5 inclusive, and 18 to 24 inclusive, Block 49, Country Club Section Part 3. Formal action upon the request was deferred until the next regular meeting of the Commission.

The City Clerk requested advice of the Commission as to a policy of licensing auctioneers to conduct auctions of household goods within residential sections of Coral Gables. The City Attorney advised, and the Commission concurred, that occasional auction sales of household goods located within a residence in the city could be properly licensed, provided that the sales were restricted to furniture and furnishings located and used in such residence.

The meeting was then turned over to a discussion of a proposed contract between the Walter Butler Co., Mr. Ray R. Gauger, and the city, calling for the preparation of plans and specifications for the new bus terminal and containing a covenant on the part of the Walter Butler Co. to enter a bid for the construction and financing of the bus terminal at a maximum price of cost plus 8% fee. The City Clerk presented a written report upon the subject matter of the conferences held by the City Clerk with Mr. W. J. Altfilisch of the firm of Chapman and Cutler, Mr. Walter Lyklema and Mr. Paul D. Speer of the Firm of A. C. Allyn and Co., and Mr. Louis Sheahan of the Walter Butler Co., in Chicago on November 23, 1949. The City Manager noted that the intent of the Commission to consider such a proposed contract had been given newspaper publicity on numerous occasions since September 9, 1949, and that a formal notice to the effect that any other persons or firms desiring to submit a similar proposition to the city should contact the City Manager by 5 o'clock P.M., November 28, 1949, had been published on November 18 and November 21. He advised that he had received one written answer to this published notice, from Fred Howland Inc., and that such firm declared its willingness and intent to bid on the construction of the terminal or upon

construction and financing jointly, if desired. The City Manager stated that other inquiries had been received concerning the construction or the financing separately, but that no person or firm had indicated a willingness to submit a proposal for the preparation of plans and specifications coupled with a guaranteed bid for construction and financing.

Mr. A. B. Morrison was present at the meeting and inquired of the Commission whether or not bids for financing would be considered separately. The Commission declared that it desired to be in position to accept the lowest construction bid and the lowest financing bid, and intended to reserve the right to call for bids upon each element separately. The City Attorney was asked whether or not the proposed Butler Co. contract, which contains an agreement on the part of the City to request joint financing and construction bids, would prohibit the city from requesting or accepting bids on construction and financing separately. The City Attorney advised that in his opinion the contract did not prohibit the city from requesting or accepting separate bids, but recommended that the proposed contract be clarified to specifically provide this right on the part of the city.

Mr. Walter Butler, Vice President and Mr. A. W. Longbotham, Chief Engineer, of the Walter Butler Co., and Mr. Ray R. Gauger, Architect, then entered the meeting and joined in the discussion.

The City Attorney advised them of the city's desire to amend the proposed form contract to specifically provide that nothing therein contained shall in any way prohibit the city calling for bids for construction and for financing separately. Representatives of the company agreed to such amendment.

The City Manager recommended that the contract form be amended to provide that the architect should furnish completed plans and specifications within 45 days after the date of the contract, instead of 90 days as provided. Representatives of the company agreed to this amendment.

A discussion was then had as to the amount of fee owing the architect in the event the Walter Butler Co. was not the successful bidder for the construction of the terminal. Mr. Walter Butler stated it was the company's intent in such event that the architect's fee would be limited to 5%, and that the fee of 7% provided in the contract would apply only in the event the bus terminal were constructed by the Walter Butler Co.

The following resolution was then presented and read:

RESOLUTION NO. 3374

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH RAY R. GAUGER AND THE WALTER BUTLER CO. CONCERNING PREPARATION OF PLANS AND SPECIFICATIONS, AND CONSTRUCTION AND FINANCING OF A NEW BUS TERMINAL.

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

That the Mayor and City Clerk be and they hereby are authorized to execute on behalf of the city a contract with Mr. Ray R. Gauger and the Walter Butler Co. as follows:

THIS AGREEMENT, Made the _____ day of _____ in the year Nineteen Hundred and Forty nine, by and between THE CITY OF CORAL GABLES, a municipal corporation of the State of Florida, hereinafter called the City, and WALTER BUTLER COMPANY, a Minnesota corporation authorized and licensed to do business in the State of Florida, hereinafter called the Company, and RAY R. GAUGER, a registered and licensed Architect, hereinafter called the Architect,

WITNESSETH:

THAT WHEREAS, the City intends to erect a Municipal Bus Terminal Building on lands of the City, located within the corporate limits of the City,

NOW THEREFORE, the City and the Architect, for the considerations hereinafter named, agree as follows;

The Architect agrees to perform, for the above-named work, professional services as hereinafter set forth.

The City agrees to pay the Architect for such services a fee of seven (7) per cent of the cost of the work, with other payments and reimbursements as hereinafter provided, the said percentage being hereinafter referred to as the "basic rate". The term "the cost of the work" as hereinabove and hereinafter employed shall mean the total cost of the construction of the proposed Municipal Bus Terminal Building, exclusive of the Architect's fee hereunder and items provided to be excluded therefrom by certain provisions of paragraph numbered 7 hereof.

The parties hereto further agree to the following conditions:

1. THE ARCHITECT'S SERVICES. The Architect's professional services consist of the necessary conferences, the preparation of preliminary studies, working drawings, specifications, large scale and full size detail drawings; the drafting of forms of proposals and contracts; the issuance of certificates of payment; the keeping of accounts, the general administration of the business and supervision of the work.

2. EXTRA SERVICES AND SPECIAL CASES. If the Architect shall be caused extra drafting or other expense due to changes ordered by the City, or due to the delinquency or insolvency of the City, or as a result of damage by fire, he shall be equitably paid for such extra expense and the service involved.

Work let on any cost-plus basis shall be the subject of a special charge in accord with the special service required.

If any work designed or specified by the Architect shall be abandoned or suspended, the Architect shall be paid for the service rendered on account of it.

3. PAYMENTS Payments to the Architect on account of his fee shall be made as follows, subject to the provisions of Paragraph 2:

Upon completion of the preliminary studies, a sum equal to 20% of the basic rate computed upon a reasonable estimated cost.

Upon completion of specifications and general working drawings

(exclusive of details) a sum sufficient to increase payment on the fee to 75% of the rate or rates of commission arising from this agreement computed upon a reasonable cost estimated on such completed specifications and drawings, or if bids have been received, then computed upon the lowest bona fide bid or bids.

From time to time during the execution of work and in proportion to the amount of service rendered by the Architect, payments made on account of the fee under this Paragraph, but not including any covered by the provisions of Paragraph 2, shall be a sum equal to the rate or rates of commission arising from this agreement, computed upon the final cost of the work.

Payments to the Architect, other than those on his fee, fall due from time to time as his work is done or as costs are incurred.

No deductions shall be made from the Architect's fee on account of penalty, liquidated damages, or other sums withheld from payments to contractors.

4. SURVEY, BORINGS AND TESTS. The City shall, so far as the work under this agreement may require, furnish the Architect with the following information: A complete and accurate survey of the building site, giving the grades and lines of streets, pavements, and adjoining properties; the rights, restrictions, easements, and boundaries of the building site, and full information as to sewer, water, gas and electrical service. The City is to pay for borings or test pits and for chemical, mechanical, or other tests when required.

5. SUPERVISION OF THE WORK. The Architect will endeavor to guard the City against defects and deficiencies in the work of contractors, but he does not guarantee the performance of their contracts. The supervision of an Architect is to be distinguished from the continuous personal superintendence to be obtained by the employment of a clerk-of-the-works.

When authorized by the City, a clerk-of-the-works acceptable to both City and Architect shall be engaged by the Architect at a salary satisfactory to the City and paid by the City upon presentation of the Architect's monthly statements.

6. PRELIMINARY ESTIMATES. When requested to do so, the Architect will furnish preliminary estimates on the cost of the work, but he does not guarantee the accuracy of such estimates.

7. DEFINITION OF THE COST OF THE WORK. The cost of the work, as herein referred to, means the cost to the City, but such cost shall not include any architect's fees or reimbursements or the cost of a clerk-of-the-works.

8. SUCCESSORS AND ASSIGNMENTS. The City and the Architect each binds itself, its partners, successors, executors, administrators and assigns to the other party to this Agreement, and to the partners, successors, executors, administrators and assigns of such other part in respect of all covenants of this agreement.

Except as above, neither the City nor the Architect shall assign, sublet or transfer its or his interest in this Agreement without the written consent of the other.

9. ARBITRATION. All questions in dispute between the City and the Architect, under this Agreement, shall be submitted to arbitration before a Board of three Arbitrators. The City and the Architect, each, shall appoint one member of said Board, and the two members so appointed shall appoint the third member of said Board.

10. TIME FOR COMPLETION AND DELIVERY OF PLANS AND SPECIFICATIONS. The Architect will, within the period of forty-five (45) days next after the date hereof, complete the aforesaid Plans and specifications for the construction and erection of said proposed Municipal Bus Terminal Building, and deliver such Plans and Specifications to the City.

11. EXTRA COVENANTS BETWEEN CITY AND COMPANY. The City will, within the period of forty-five (45) days next after the completion and delivery of the aforesaid plans and Specifications, by the Architect, hereunder, duly request, receive and consider competitive proposals of reliable

construction contractors, for the furnishing of all labor and materials and the performance of all work necessary for the complete construction and erection of said proposed Municipal Bus Terminal Building, and the affording to the City of adequate financing under a plan whereby the City will be enabled to borrow requisite funds for the defraying, by the City of the subject construction costs; all preliminary to the awarding of the Building Construction and Financing Plan Contract contemplated to be awarded by the City in the premises. Nothing herein contained shall in any way prohibit the city from calling for bids for construction, and bids for financing, separately.

The Company will, after written notice from the City, in said matter, submit the Company's proposal in competition with the proposals of others for the award of such Building Construction and Financing Plan Contract. The Company will, under its proposal in the premises, specify the terms, conditions and payments upon and for which it will undertake to furnish the labor and materials and perform the work necessary for the complete construction and erection of the aforesaid proposed Municipal Bus Terminal Building, and will thereby further propose, conditional upon the award to the Company, by the City, of a valid Building Construction and Financing Plan Contract, that the Company will procure, for the City, the financing necessary for the aforesaid Building Construction Project, in the sum of not more than \$420,000.00, at an annual interest rate of not more than 5%, for a loan period of not less than twenty (20) years, under a plan incorporating provisions for payments by the City sufficient in effect for the amortization of the entire loan, both principal and interest, within the said loan period, by providing for and making available to the City, a purchaser for the purchase from the City of a sufficient amount of the City's proposed Municipal Revenue Certificates to produce to the City the sum of up to \$420,000.00, when sold at a net interest cost to the City of not more than 5% per annum, which sum of \$420,000.00 is deemed representative of the equivalent of the presently estimated maximum cost of the subject Building Construction Project, and which Municipal Revenue Certificates the City represents it is authorized to issue and sell for the purpose of its procurement of the requisite funds for the payment of the costs of the aforesaid Building Construction Project, and which Municipal Revenue Certificates the City represents it will, after due proceedings to be conducted by it and at its expense, validate in judicial proceedings and otherwise, and issue and sell, for such purposes, and under conditions making the same payable from the revenues of said Municipal Bus Terminal Building, and appurtenances thereof, and from the revenues of the City's Municipal Bus System.

12. PROVISIONS FOR DEFERRED PAYMENTS OF ARCHITECT'S FEE. The payments to the Architect hereinabove provided to be made on account of the Architect's fee, by the City, pursuant to the provisions of Paragraph 3 hereof may be deferred until the award by the City of the aforesaid Building Construction and Financing Plan Contract, or until a date three (3) months after completion of such Plans and Specifications and the delivery of the same to the City, hereunder, whichever date shall be the earlier.

13. PLANS AND SPECIFICATIONS TO BE SATISFACTORY TO CITY. The Plans and Specifications, covered hereby, shall be reasonably acceptable and satisfactory to the City. The City shall be empowered to exercise control and supervision over the drafting of the subject Plans and Specifications, and shall control the maximum aggregate cost of the subject project.

14. STIPULATIONS BETWEEN CITY, COMPANY AND ARCHITECT. The Company's aforesaid proposal in respect to the aforesaid Building Construction and Financing Plan Contract, among other provisions, shall contain an offer on the part of the Company to furnish all labor and materials and perform all work necessary for the complete construction of the aforesaid Municipal Bus Terminal Building, exclusive of Architectural services therefor, in consideration of the payment by the City to the Company of the equivalent of the total actual cost involved, plus a contractor's fee equal to 8% of such total actual cost. In the event that the City shall be unsuccessful in its efforts to procure the validation of its proposed Municipal Revenue Certificate issue, in the aforesaid contemplated judicial proceedings, then the Architectural service fee hereunder shall be reduced from 7% to 5% of "the cost of the work", estimated hereunder, and the Architect shall be relieved of any obligation hereunder to supervise any of the subject construction work. Such proposal of the Company, in respect to the construction of said Building, on such cost plus a contractor's fee basis, must contain extra provisions for the limitation of the City's total liability on account of such cost and contractor's fee to a specified maximum sum.

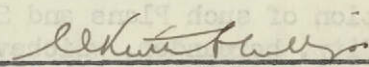
15. RESERVATIONS AND CONDITIONS. The said covenants of the Company for the submission of its proposal for the award of the contemplated Building Construction and Financing Plan Contract, by the City, are dependent upon the determination of the City to proceed with the construction and financing of the subject project and the performance by the City of all of its aforementioned covenants in respect to the requesting, reception and consideration of competitive proposals for such Contract, and such proposal shall be subject to the availability, properly issued and validated, of the aforesaid Municipal Revenue Certificates, in compliance with all applicable terms and conditions hereinabove expressed. The City nevertheless shall reserve the privilege to abandon the subject project in respect to the construction and financing of the same, but not in respect to the preparation of the Plans and Specifications therefor, hereunder. The City may elect to exercise said reserved privilege to abandon said project, save in respect to the preparation of said Plans and Specifications hereunder, at any time prior to its award of such Building Construction and Financing Plan Contract, by seasonable written notice thereof to be given by the City to the Company and without incurring any liability to the Company on such account. In the event that the City shall exercise said reserved privilege to abandon the project, prior to the award of any such Contract, the City shall have and may exercise the further privilege, after the completion of said Plans and Specifications hereunder, to terminate this Agreement as between the City and the Architect and thereby relieve the Architect of all obligations in respect to supervisory services hereunder which the Architect otherwise would be obligated to perform, and in such case the Architectural fee, payable by the City to the Architect, shall represent no more than the equivalent of 5% of "the cost of the work" estimated hereunder.

IN WITNESS WHEREOF they have executed this Agreement, the day and year first hereinabove written.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

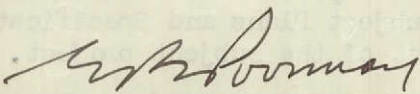
There being no other business the meeting was adjourned.

APPROVED:


 MAYOR

W. Keith Phillips

ATTEST:



CITY CLERK
 E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
DECEMBER 6, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday December 6, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was turned over to a discussion of a request of the Granada Presbyterian Church to construct a church on Lots 1 to 5 inclusive, and Lots 18 to 24 inclusive, Block 49, Country Club Part 3. Several property owners in the immediate vicinity were present to object to the construction of a church at that location, and were represented by Attorney Harold Ward. Mayor Phillips advised those present that the City Attorney had rendered an opinion that the church was legally entitled to build upon this property under the circumstances of this case, and that the church would prevail if litigation were instituted to force a permit.

ORDINANCE

AN ORDINANCE PERMITTING USE OF LOTS 1 TO 5
INCLUSIVE, AND LOTS 18 TO 24 INCLUSIVE,
BLOCK 49, COUNTRY CLUB SECTION PART 3, FOR
CHURCH PURPOSES.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk advised that Julius Bauer III, d/b/a University cabs, had withdrawn the application previously filed by him for a certificate of public convenience and necessity for the operation of two for-hire vehicles within the city, and had filed a new application for a certificate for the operation of four additional taxicabs. The following resolution was presented read:

RESOLUTION NO. 3375

A RESOLUTION SETTING A PUBLIC HEARING UPON
THE APPLICATION OF UNIVERSITY CABS FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY FOR FOUR ADDITIONAL TAXICABS.

WHEREAS an application has been duly filed by Julius Bauer III, d/b/a University Cabs, for a certificate of public convenience and necessity for the operation of four additional taxicabs within the city;

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

That a public hearing upon such application is hereby set for the regular meeting of the City Commission of the City of Coral Gables to be held at 8 o'clock P.M., Tuesday, December 20, 1949.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None

The City Manager noted the receipt of a letter from J.N. Lummus, Jr., County Tax Assessor, calling to the attention of the city the details of Chapter 25512, Acts of 1949, which empowers the various municipalities of Dade County to name the County Tax Assessor and County Tax Collector as City Assessor and Collector, respectively. Mr. Lummus advised that the act provides for a commission equal to one-fourth of one per cent of the total taxes assessed and collected upon the municipal rolls to be paid to the Assessor and Collector. He advised that there would be no commission charged for the years 1950 and 1951 should any municipality desire to come under the provisions of this statute.

In view of the loss of control over assessment policies and collection of tax money, and because the adoption of the county assessed valuation would result in increase of assessed valuation within the city, and a consequent increase of debt service taxes, the Commission determined that it was not interested in such offer. The Director of Finance was authorized to investigate the cost involved for the city to collect county taxes within the municipality to relieve the county of such expense and work. The City Manager was asked to acknowledge the Assessor's letter and thank him for calling the matter to the city's attention.

RESOLUTION NO. 3376

A RESOLUTION AUTHORIZING AMENDMENT OF
FEDERAL HOUSING ADMINISTRATION LEASE.

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

That the City Manager and City Clerk are hereby authorized to execute, on behalf of the City, a modification or amendment of the existing Federal Housing Administration lease to permit such agency to occupy the second floor of the City Hall, at a proportionate increase in rent, for the balance of the term of the existing lease, or until the city can find other space in the City of Coral Gables adequate to meet the needs of the Federal Housing Administration.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Coral Gables Inc., stating that that company had purchased Lot 13, Block 2, Anderson's Little Groves, and intended to dedicate for street use that part of such lot lying within Avenue Catalonia, so that the opening and paving of Avenue Catalonia as ordered in Local

Improvement H-60 could proceed. Coral Gables Inc. also requested a vacation of that portion of Cardena Street lying between Avenues Catalonia and Malaga, and the vacation of the alley in Block 38, Biltmore Addition. The City Manager advised that on November 2nd, 1948 the city had accepted the bid of Troup Bros. Inc. to pave Avenue Catalonia under Local Improvement H-60, but that execution of the work had been deferred because of the question of title to the street, which would now be cleared by the action of Coral Gables Inc. He advised that Troup Bros. Inc. was willing to proceed with this paving work, and the Commission authorized the City Manager to direct the paving work to proceed immediately when the above dedication was effected. The matter of the vacation of Cardena Street and the alley in Block 38, Biltmore Addition, was deferred pending further study.

RESOLUTION NO. 3377

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-71.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as amended:

Paving Orduna Drive from Granada Boulevard to Blue Road with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished to a width of 20 feet,

at an estimated cost of \$1,350, of which \$1,200 shall be apportioned to abutting properties and \$150 to the city.

2. That the cost of such improvement, except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets on a frontage basis, which said property is hereby designated as Improvement District H-71.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from the Florida Council for the Blind, stating that the legislature passed during the 1949 session an act providing for the operation of automatic vending machines for the benefit of needy blind persons on public property when permitted by officials in charge of such property, and asking the city to grant such permission for public buildings within the city. No action was taken.

ORDINANCE NO. 632.

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" AS AMENDED, AS TO ZONING REQUIREMENTS OF LOTS 17 TO 25 INCLUSIVE, BLOCK 19, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading November 15, 1949, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"N ays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 632.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS AMENDED, AS TO ZONING REQUIREMENTS OF LOTS 9 TO 15 INCLUSIVE, BLOCK 4, LOTS 9 TO 12 INCLUSIVE, BLOCK 7, LOTS 10 TO 13, BLOCK 14, LOTS 12 TO 15 INCLUSIVE, BLOCK 17, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "N ays" - None.

Discussion was had upon the recommendation of the Zoning Board made at its November 28, 1949 meeting, that zoning be changed on one of the sites listed below to allow a yacht basin use:

- (1) The Bight on the north bank of the waterway entrance to Biscayne Bay, extending to Sunrise Point.
- (2) The south end of the Lagoon lying to the east of the Leonardi property.
- (3) The north side of Block 1, Biscayne Bay Subdivision, Part 1, facing on the broadwater of the waterway.

The City Clerk advised the Commission that the Planning and Advisory Board, on October 25, 1949, had considered the above sites together with a fourth site, namely, the Bight to the south of Tahati Beach where Granada Boulevard abuts the bay, and had recommended the site listed as number (2) above as the most advantageous site for a yacht basin. The Planning Board had recommended that private financing of the yacht club be promoted. The Commission approved all four sites listed and indicated its willingness to consider a change of zoning

of any of such sites to permit yacht basin use when an appropriate application had been made through the Zoning Board for a change of zoning. The Commission recognized the need of a yacht basin in the City of Coral Gables, and declared its willingness to take all necessary steps to encourage the construction of a yacht club or yacht basin.

The City Clerk advised the Commission that at an election November 21, 1949, Mr. C. A. Warth had been elected by the employees of the city for a two-year term on the Trial Board beginning December 1, 1949.

ORDINANCE NO. 633.

AN ORDINANCE AMENDING ORDINANCE NO. 514 KNOWN AS THE "OCCUPATIONAL LICENSE ORDINANCE", AS AMENDED, CONCERNING THE LICENSE FEE FOR MACHINES VENDING CERTAIN MERCHANDISE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

which was read by title and adopted on first reading November 15, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 633.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK

E. B. Poorman

AEA259

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
DECEMBER 16, 1949

The Commission of the City of Coral Gables convened in special session at the call of the Mayor, at the City Hall, at 8 o'clock P.M., Friday, December 16, 1949. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

RESOLUTION NO. 3378

A RESOLUTION APPROVING AN INTERIM
SUBMITTAL BY THE STATE ROAD DEPARTMENT
CONCERNING THE FEDERAL-AID URBAN SYSTEM
UNDER THE FEDERAL-AID HIGHWAY ACT OF
1944.

WHEREAS the Federal-Aid Highway Act of 1944 authorized the establishment of Urban Areas around and including municipalities of 5000 or more population, and the setting up of a Federal-Aid Urban System of highways and streets within each of these Areas; and

WHEREAS the State Road Department of Florida, pending final determination of the Federal-Aid Urban System in this Area, will present to the Bureau of Public Roads an interim submittal limiting designated roads to routes presently on the Federal-Aid Primary System, so that early construction on such routes can be planned;

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

That this Commission does hereby approve such interim submittal of roads now included in the Federal-Aid Primary System, pending final and joint determination of the complete Federal-Aid Urban System of roads within this city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Edgar Bater appeared before the Commission to request approval of issuance of package liquor store at 5166 S.W. 8th Street, in accordance with a decree entered in the Circuit Court of Dade County on December 8, 1949, in case No. 126422C entitled Bater v City of Coral Gables, holding that the population limitation statute of 1947 was not applicable to this case and directing the city to issue a license upon the applicant complying with the ordinances of the city. The City Attorney ruled that the applicant must comply with the terms of the zoning ordinance requiring a public hearing upon such requested use, since the property abuts residential property, and declared that the Commission could not authorize such a license until after action by the Zoning Board.

RESOLUTION NO. 3379

A RESOLUTION CHANGING THE TIME OF THE REGULAR
COMMISSION MEETING OF JANUARY 3, 1950.

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

That the regular meeting of the Commission to be held January 3, 1950, shall be held at 5 o'clock instead of the regular hour of 8 o'clock P.M.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3380

A RESOLUTION AUTHORIZING EXCAVATION OF CANAL ADJACENT TO LOTS 6 TO 13, BLOCK 108, COUNTRY CLUB SECTION 5.

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

That permission is hereby granted C. A. O'Neill to clear Lots 6 to 13 inclusive, Block 108, Country Club Section 5, and to excavate the canal adjoining such lots to the platted lot lines thereof, upon the following terms and conditions:

1. Excavation to be done in such manner as to prevent damage to any other property.
2. No explosives to be used or blasting done without prior consent of the City Manager.
3. Work to be done at reasonable hours as established by the City Manager.
4. Throughout the length of the excavation above authorized, the canal shall be excavated to a depth of not less than minus eight feet mean low water U.S.E.D. Bay Datum.
5. Excavation shall be completed and site cleaned up to the satisfaction of the City Manager on or before the expiration of 6 months from the date hereof, and in default thereof the city shall have the right, at the end of such period, to enter upon the premises and remove any spoil remaining thereon and dispose of same as it may see fit.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call; "Yeas" - Commissioner Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3381

A RESOLUTION DIRECTING THE CITY MANAGER TO REQUEST THE BOARD OF COUNTY COMMISSIONERS TO CONSTRUCT BRIDGE AND RESURFACE STREET.

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

That the City Manager is hereby authorized and directed to confer with the Board of County Commissioners of Dade County and request that board to include in the county road program the construction of a bridge over Coral Gables canal at Ponce de Leon Boulevard and the resurfacing of the MiradeMile Section of Coral Way.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Commission authorized the closing of the City Hall on Saturday, December 24th, and on Saturday, December 31, 1949.

RESOLUTION NO. 3382

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting December 12, 1949 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence facing north on Avenue Alegriano instead of east on San Amaro Drive, on Lots 18 and 19, Block 80, Country Club 5.

2. Permit regular 10 per cent reduction in square footage because of use of 100 feet or more of frontage in respect to construction of residence on Lots 16 and 17, Block 45, Country Club 3.

3. Permit erection of a "name only" sign to be placed on the cantilever above Bird Road Entrance for business operated by F. A. Browand on Lot 1, Block 4, Industrial Section.

4. Permit construction of Arts building on part of Lot 7 and Lots 8 to 11 inclusive, Block 19, Section K, having 570 cubic feet content per front foot, provided that construction is carried out according to plans presented.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The meeting was then turned over to a discussion with Mr. Ray R. Gauger concerning draft plans of the proposed new bus terminal. The Commission stated that as a matter of policy the Commission would consider the size of such building only with reference to present and future operational and administrative needs of the transportation system, and with reference to services or businesses to meet the comforts and convenience of the bus riding public, and for no other purpose. The Commission gave a general approval of a one story building generally in accordance with draft plan AA presented by Mr. Gauger, and directed that plans for such building be in accordance with the general character of the buildings in this city.

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
DECEMBER 12, 1949

Mr. Gauger stated that detailed draft plans would be available and could be presented to the Commission within a short time.

There being no other business the meeting was adjourned.

APPROVED:

Minutes of the regular meeting of November 15 and December 6, 1949, and of the November 29, 1949, were approved as read.

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

AEA259

Resolution No. 3383
A RESOLUTION RELATIVE TO THE
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF
CANTON, OHIO:
That the application of Julius Bauer III, D's
University Cafe, for a certificate of public convenience and
necessity for the operation of four additional taxicabs within
in the city is hereby granted upon the ground that no showing
has been made for the need of additional taxicabs within the
city.
Motion for its adoption was made by Commissioner Hayes, seconded by
Commissioner Hartnett. Resolution was adopted by the following roll call: "Yes" -
Commissioners Hartnett, Healy and Hayes; Vice Mayor Hartnett. "None" - None.

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
DECEMBER 20, 1949

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, December 20, 1949. Vice Mayor Hendrick in the Chair; Commissioners Hartnett, Healy and Mayes present. Mayor Phillips absent.

Minutes of the regular meetings of November 15 and December 6, 1949, and of the special meeting of November 29, 1949, were approved as read.

ORDINANCE NO. 634

AN ORDINANCE PERMITTING USE OF LOTS 1 TO 5 INCLUSIVE, AND LOTS 18 TO 24 INCLUSIVE, BLOCK 49, COUNTRY CLUB SECTION PART 3, FOR CHURCH PURPOSES.

which was read by title and adopted on first reading December 6, 1949, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None

Thereupon Vice Mayor Hendrick declared the ordinance passed and adopted and ordered its publication as Ordinance No. 634.

The meeting was then turned over to a public hearing upon the application of Julius Bauer III, d/b/a University Cabs, for a certificate of public convenience and necessity for the operation of four additional taxicabs within the city. Representatives of Sams Taxi and Baggage Co. and Gables Taxi Inc. were present at such hearing and claimed that there was no need for additional taxis at this time. Mr. Bauer stated that his company's business was sufficient to support the additional taxicabs, although he had no facts to prove that more taxicabs than presently authorized needed to be authorized for the entire city.

RESOLUTION NO. 3383

A RESOLUTION DENYING APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

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

That the application of Julius Bauer III, d/b/a University Cabs, for a certificate of public convenience and necessity for the operation of four additional taxicabs within the city is hereby denied upon the ground that no showing has been made for the need of additional taxicabs within the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Vice Mayor Hendrick. "Nays" - None.

Commissioner Mayes was excused from the meeting at this point.

The City Manager stated that the Florida Power and Light Co. had requested approval of a change in the preliminary distribution circuits on Salzedo Street between Avenues Aragon and Giralda, and the installation of an aerial primary cable across Ponce de Leon Blvd. in the alley between Avenues Aragon and Giralda. The Commission authorized the City Manager to permit the rebuilding of both lines in accordance with the request of the company and the sketches presented.

The City Manager presented a letter from the Chamber of Commerce requesting that the city install directional signs at Coral Way and Ponce de Leon Blvd., and at Aragon and Ponce de Leon Blvd., designating the location of the Chamber of Commerce office, such signs to be installed prior to January 1, 1950 if possible.

RESOLUTION NO. 3384

A RESOLUTION AUTHORIZING INSTALLATION OF SIGNS.

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

That the City Manager be and he hereby is authorized and directed to have directional signs installed, denoting the location of the Chamber of Commerce office, on Ponce de Leon Blvd. at its intersections with Coral Way and Avenue Aragon, and that the cost of such signs shall be charged to the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Vice Mayor Hendrick. "Nays" - None.

The City Manager noted that a request had been received from residents living near the corner of Segovia Street and Avenue Majorca for the installation of a traffic signal light at that corner. He advised the Commission that the Traffic Bureau had marked the corner with upright stop signs, and that neither he nor the Traffic Bureau felt that the traffic at this intersection warrants the installation of a signal light at the present time. The Commission concurred.

The City Manager noted that he had received a letter requesting that the Commission consider the Keyes Company as rental and management agent for the proposed new bus terminal. No action was taken.

ORDINANCE NO. 635

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS AMENDED, AS TO ZONING REQUIREMENTS OF LOTS 9 TO 15 INCLUSIVE, BLOCK 4, LOTS 9 TO 12 INCLUSIVE, BLOCK 7, LOTS 10 TO 13, BLOCK 14, LOTS 12, TO 15 INCLUSIVE, BLOCK 17, RIVIERA SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading December 6, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Vice Mayor Hendrick. "Nays" - None.

Thereupon Vice Mayor Hendrick declared the ordinance passed and adopted and ordered its publication as Ordinance No. 635.

RESOLUTION NO. 3385

A RESOLUTION CONFIRMING THE RESOLUTION
ORDERING LOCAL IMPROVEMENT H-71.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., December 20, 1949, pursuant to legal notice duly published in accordance with the provisions of the charter of the city, to hear all objections presented by interested parties to the confirmation of Resolution No. 3377 passed and adopted December 6, 1949 and ordering Local Improvement H-71 and to the plans, specifications and estimates of cost of such improvement; and no objections to such improvement were made;

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

That Resolution No. 3377, passed and adopted December 6, 1949 and ordering Local Improvement H-71, be and the same hereby is confirmed and the cost of such improvement except intersections shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Vice Mayor Hendrick. "Nays" - None.

ORDINANCE

AN ORDINANCE CONCERNING THE EXECUTION OF CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS; REQUIRING COMPETITIVE BIDS FOR ALL CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS IN EXCESS OF \$1000, AND PRESCRIBING THE PROCEDURE OF REQUESTING BIDS AND AWARDING SUCH CONTRACTS; REQUIRING BID BONDS AND PERFORMANCE BONDS; PROVIDING THAT THIS ORDINANCE SHALL NOT APPLY TO LOCAL IMPROVEMENTS WHERE THE COST THEREOF IS DEFRAID BY SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Vice Mayor Hendrick. "Nays" - None.

There being no other business the meeting was adjourned.

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

APPROVED:

David H. Hendrick, Jr.
VICE MAYOR
David H. Hendrick, Jr.

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JANUARY 3, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:00 P.M., Tuesday, January 3, 1950, pursuant to Resolution No. 3379 changing the time of the regular meeting of this date. Mayor Phillips in the chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the special meeting of December 16, 1949, and the regular meeting of December 20, 1949, were approved as read.

Mr. Edgar Bater and his attorney, Mr. Jack Kehoe, appeared before the Commission concerning Mr. Bater's application for a license for a package liquor store at 5166 Southwest 8th Street. Superintendent of Public Works Robinson advised the Commission that a public hearing had been held on such application by the Zoning Board at 3:00 o'clock this date, and that the Zoning Board had deferred action, pending receipt of further information, until its January 10th meeting. No action was taken upon the application in view of the above facts.

Mr. Leslie Coombes of Coral Gables Inc. appeared before the Commission concerning his company's request that the city vacate Cardena Street between Avenues Catalonia and Malaga, and vacate the east and west alley in Block 38, Biltmore Addition. Mr. Coombes stated that Coral Gables Inc. had purchased Lot 13, Block 2, Anderson's Little Groves, and intended to dedicate to the city for street use, without cost, that part of such lot lying within Avenue Catalonia, so that the opening and paving of Avenue Catalonia as ordered in Local Improvement H-60 could proceed. He stated that Coral Gables Inc. would likewise dedicate to the city, without cost, that portion of that lot lying within Cardena Street, and Lot 16, Block 29, Biltmore Section, to permit opening of Cardena Street between Avenues Catalonia and Malaga, if the Commission so desired. He stated, however, that Cardena Street had never been opened or used by the public between Avenues Catalonia and Malaga, and it appeared that no persons would be adversely affected if the street were vacated.

ORDINANCE NO. 636.

AN ORDINANCE VACATING AND DISCONTINUING THAT CERTAIN 20 FOOT ALLEY RUNNING EASTERLY AND WESTERLY IN BLOCK 38, BILTMORE ADDITION, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 30 PAGE 45 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, FROM THE EAST LINE OF CARDENA STREET TO THE EASTERLY LINE OF LOTS 19 AND 28 OF SAID BLOCK 38, EXTENDED; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Hartnett, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 636.

ORDINANCE NO. 637

AN ORDINANCE VACATING CARDENA STREET, BETWEEN AVENUE CATALONIA AND AVENUE MALAGA; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call; "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 637.

The City Manager reported that the current contract with Standard Oil Co. for furnishing of gasoline to the city expires January 7, 1950, and stated that bids had been requested from numerous gasoline companies for a year's contract beginning January 8, 1950. Bids were received in response to this request as follows:

Company Submitting Bid	Basis	Net Price Gasoline Only, Dec.28 Market House Brand-Premium		Estimated Net Cost (1 Yr.)
				Base Dec.28 Market Corrected to 60° House 340,000 Gallons Premium 150,000 Gallons (Not Corrected House 343,570 Gals. Premium 151,575 Gallons).
Aeroland Oil Co.	Transport	13.60¢	15.10¢	\$103,925.42
American Oil Co.	Tank Wagon			
	Less 1.25¢	13.35¢	15.85¢	105,170.32
Atlantic Refining Co.	Tank Car	11.80¢	12.80¢	94,845.00
Gulf Oil Corporation	Transport	11.44¢	12.44¢	90,937.44
Orange State Oil Co.	Transport	11.80¢	12.80¢	93,290.25
Shell Oil Co.	Transport	11.80¢	12.80¢	94,776.47
Sinclair Refining Co.	Transport			
	Less .25¢	11.55¢	12.55¢	91,471.05
Standard Oil Co.	Transport	11.80¢	12.80¢	92,683.80
Superior Oil Co.	Tank Wagon	16.10	Not Quoted	Premium Not Quoted
Texas Co.	Tank Car	11.80¢	12.80¢	95,221.94

Gulf, Orange State, Shall, Sinclair and Standard oil companies offer 1% discount on 10 day payment; Atlantic, Gulf, Shell, Sinclair, Standard and Superior oil companies base cost on gallonage corrected to 60° Fahrenheit; Orange State Oil Co. to temperature adjustment not stated; Atlantic and Shell oil companies add cost for transportation to city tanks.

The City Manager stated that the bid of the Gulf Oil Company was the lowest and best bid, and recommended that it be accepted.

RESOLUTION NO. 3386

A RESOLUTION ACCEPTING THE BID OF THE GULF OIL CORPORATION FOR FURNISHING OF GASOLINE TO THE CITY FOR ONE YEAR, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT THEREFOR.

WHEREAS bids have been requested from numerous oil companies for furnishing of gasoline, both house brand and premium, to the City of Coral Gables for a one year period January 8, 1950 through January 7, 1951, and ten bids were received; and

WHEREAS this Commission hereby finds that the bid of the Gulf Oil Corporation is the lowest and most advantageous bid to the city;

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

That the bid of the Gulf Oil Corporation to furnish gasoline to the city for one year beginning on January 8, 1950 at Gulf Oil Corporation's posted transport truck price at time of delivery, with temperature corrected to 60° at loading point, with 1% discount excluding taxes for payment within ten days, is hereby accepted, and the City Manager is hereby authorized to execute a contract with said company in compliance with such bid.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3387

A RESOLUTION APPROPRIATING \$1100.00 FROM THE CONTINGENT FUND FOR FIREARMS TRAINING AND FOR THE PISTOL TEAM OF THE POLICE DEPARTMENT.

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

That it is hereby appropriated from the General Contingent Fund of the city the sum of \$125.00 to Appropriation Account 2550-119F for firearms training for the Police Department, and the sum of \$975.00 to Appropriation Account 2550-198 to enable participation of the pistol team in pistol matches at Tampa, Jacksonville and Miami.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised the Commission that the paving of alleys under Local Improvement A-7 was proceeding, and that a question had arisen as to the location of the alley to be paved in Block 4, Crafts Section, in view of the proposed replat of the easterly end of such block and the consequent changing of location of the alley outlet. He stated that Mr. Roy Page, the owner of the property, had agreed to the paving of the alley at the proposed new location, and had agreed to reimburse the city for the cost of changing the location to the now dedicated location in the event the replat was not completed within one year. The City Attorney advised that a written authorization from Mr. Roy Page should be secured authorizing the city to pave the alley across his property in the new location as proposed by the replat, and agreeing that the lien of Local Improvement A-7 would attach with the same force and effect as if the alley were paved upon its presently dedicated location.

The City Manager advised that Dr. James L. Anderson had requested permission or license to use the northerly half of the Miller Road right of way adjoining his Lot 1, Block 92, Riviera Section, agreeing that if such permission were granted that he would beautify and landscape the right of way. The City Manager stated that beautification of the right of way adjacent to the canal would be of benefit to the city, and recommended that a license or permit be granted to the owners of the abutting property on both sides of the canal to so use the half of the right of way adjoining their properties. The City Attorney was instructed to prepare the necessary papers to permit the owners of all abutting properties to use the half of the right of way adjoining their properties for three years from date, on condition that the right of way be beautified; and reserving to the city the right to terminate such license and permit on 90 days written notice at any time after the expiration of said three years; providing that the owners of the reversionary interest in such right of way concur and agree to the granting of the license and permission, and providing that the owners agree to remove all planting thereon at their expense at the termination of such

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JANUARY 17, 1950

permission.

The City Manager requested authority to pave Balboa Plaza on a purchase and hire basis, and the Commission authorized him to purchase the necessary material and to hire the services of a paving company to lay the material, without advertisement for bids.

ORDINANCE NO. 638

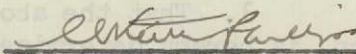
AN ORDINANCE CONCERNING THE EXECUTION OF CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS; REQUIRING COMPETITIVE BIDS FOR ALL CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS IN EXCESS OF \$1000, AND DESCRIBING THE PROCEDURE OF REQUESTING BIDS AND AWARDING SUCH CONTRACTS; REQUIRING BID BONDS AND PERFORMANCE BONDS; PROVIDING THAT THIS ORDINANCE SHALL NOT APPLY TO LOCAL IMPROVEMENTS WHERE THE COST THEREOF IS DEFRAID BY SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

which was read by title and adopted on first reading December 20, 1949, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 638.

There being no other business the meeting was adjourned.

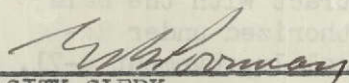
APPROVED:



MAYOR

W. Keith Phillips

ATTEST:



CITY CLERK
E. B. Poorman

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JANUARY 17, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, January 17, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meeting of January 3, 1950 were approved as read.

The meeting was then turned over to consideration of bids for paving work in the City of Coral Gables, designated as Local Improvement H-71. Six bids were received for such project and were opened and read by the City Clerk. The following resolution was then presented and read.

RESOLUTION NO. 3388

A RESOLUTION ACCEPTING THE BID OF W. T. PRICE DREDGING CORPORATION FOR PAVING WORK IN THE CITY OF CORAL GABLES DESIGNATED AS LOCAL IMPROVEMENT H-71, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids on street paving designated as Local Improvement H-71, and bids therefor were received as follows:

Name	Price Per Square Yard
W. T. Price Dredging Corp.	\$.68
Belcher Oil Company	.72
Weekley Paving Company	.73½
Troup Bros., Inc.	.75
Williams & Stockton	.98
Brooks Paving Company	.98

AND WHEREAS, the bid of W.T.Price Dredging Corp. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of W.T.Price Dredging Corp. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said W. T. Price Dredging Corp. for work authorized under Resolution No. 3377 and designated as Local Improvement H-71, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:
"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
"Nays" - None.

Mr. William Hartnett, Chairman of the Athletic Commission, presented a check to the city in the amount of \$109.00, representing a refund of the appropriation heretofore made of \$250.00 to assist in defraying the expenses of the National Boxing Association Convention.

Mr. Ted Wayne, representing the Junior Chamber of Commerce, requested that the night of February 3, 1950 be designated as "Gay Nineties Night" in honor of the Gay Nineties Ball to be held on that date under the auspices of the Junior Chamber of Commerce. The Commission so ordered.

The meeting was then turned over to the consideration of bids received January 14, 1950 for the furnishing of two dump trucks to the city. The City Manager explained that detailed specifications were required and that a minimum capacity of 14,500 pounds was prescribed for the rear axle. He stated that the bid of Tutan Motors for Dodge trucks with Daybrook bodies was low bid but that there was a serious question as to whether or not the rear axle capacity would meet minimum specifications. The Dodge company specifications claim a capacity of 14,500 pounds for the rear axle, but Mr. Truman Smith declared that other information in his possession indicated that such axle had a maximum capacity of only 14,000 pounds. Mr. Smith further stated that, in his opinion, a rear axle of larger capacity could better serve the interests of the city.

Commissioner Hartnett moved that the bid of Tutan Motors Company for two Dodge trucks with Daybrook bodies, at a total price of \$7,342.30 be accepted and that the Dodge company rating upon the rear axle in question be accepted as true. Commissioner Mayes seconded the motion. On roll call: "Yeas" - Commissioners Hartnett and Mayes. "Nays" - Commissioners Healy and Hendrick; Mayor Phillips. The motion failed.

After further discussion, Commissioner Healy moved that the city reject all bids, and that new bids be requested upon specifications calling for a higher minimum rear axle capacity, considered most suitable for city purposes.

The motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nay" - Commissioner Hartnett.

The following resolution was presented and read:

RESOLUTION NO. 3389

A RESOLUTION GRANTING PERMIT FOR THE OPERATION OF THE RETAIL PACKAGE LIQUOR STORE ON LOT 2, TAMiami PLACE PLAN 1.

WHEREAS, a decree entered in the Circuit Court of Dade County, Florida on December 8, 1949 in Case No. 126422C, entitled Bater vs City of Coral Gables, ordered the city to issue a retail package liquor store license to the plaintiff upon his compliance with ordinances of the city; and

WHEREAS, in accordance with the provisions of the zoning ordinance requiring a public hearing of affected property owners before permitting the operation of a retail package liquor store in areas where the site thereof abuts upon residential or apartment areas, a public hearing was held before the Zoning Board of Appeals on January 3, 1950, and after such hearing the zoning board is in favor

of a permit being granted for operation of a retail package liquor store, as applied for on Lot 2, Tamiami Place Plan 1, known as 5166 S.W. 8th Street.

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

That permission is hereby granted to Edgar Bater to operate a retail package liquor store at 5166 S.W. 8th Street in accordance with the decree entered in the case described above, subject to the applicant complying with the occupation-all license ordinance.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager presented to the Commission a written report prepared by the Coral Gables Woman's Club, describing the 1949 program of the club to "build a better community through youth conservation". The Commission commended the Woman's Club for the fine results of its program and requested the City Manager to convey its appreciation and thanks to the club.

The City Manager noted receipt of letters from Mr. R. G. McGahey, owner of lots 8 and 9 Block 112, Country Club Section No. 5, and Mr. Charles S. Motz, owner of lots 6 and 7 of the same block, requesting the paving of Avenue Alegriano east of Santa Maria Street. The owners indicated that if such street were paved, at least three homes would be built in this block within the next three months. The City Manager recommended the paving of Avenue Mendavia from Santa Maria Street to Blue Road at the same time. He noted that both streets had been originally included in Local Improvement H-62 but had been later deleted therefrom.

RESOLUTION NO. 3390

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-72.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended:

Paving to a 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, Avenue Alegriano from Santa Maria Street to Avenue Mendavia and Avenue Mendavia from Santa Maria Street to Blue Road, at an estimated cost of \$3,040.00, of which \$2,684.00 shall be apportioned to abutting properties and \$356.00 apportioned to the city.

2. That the cost of such improvement, except intersections and except any portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets, on a frontage basis, which said property is hereby designated as Improvement District H-72.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted that receipts from the cigarette tax should be forthcoming shortly and he suggested that the Commission consider the allocation of a portion of such revenue to oiling and sanding numerous streets in the city and for construction of additional drainage sumps and ditches. No definite action was taken pending a study of overall financial needs and pending further receipts of cigarette revenue permitting a more accurate estimate of the amount to be expected.

RESOLUTION NO. 3391

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSES.

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

1. That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14 per cent alcohol by weight for consumption on the premises, heretofore issued to George N. Lazos d/b/a Leo's Delicatessen and Sandwich Shoppe, 50 Avenue Aragon, to John Moussios, doing business under the same name and at the same address, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferees.

2. That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14 per cent alcohol by weight for consumption on the premises, heretofore issued to Viola Fosselman d/b/a Tri-Corner Inn, 375 South Dixie Highway, to Elsie Obarski, doing business under the same name and at the same address, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferees.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3392

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

AEA259

WHEREAS, the Zoning Board of Appeals at its regular meeting of January 10, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of apartment on Lot 21, Block 11, Biltmore Section, facing Avenue Almeria instead of Anderson Road as now zoned.

2. Permit operation of a pressing machine and sewing machine on Lots 23 and 24, Block 10, Crafts Section.

3. Permit erection of a standard chain link wire fence around rear of residence at 666 University Drive.

4. Permit construction of residence on Lots 28 and 29 Block 51, Country Club Section Part 4, facing west on Mariola Court instead of south on Bird Road as now zoned.

5. Permit erection of a standard chain link wire fence along each side of the following described property;

Lots 1 and 1A, Block 92, Riviera Section Part 4 and the north one-half of Miller Road right of way

adjoining such lots.

6. Permit a 27 foot setback from canal for one corner of garage instead of a 35 foot setback as now required, in accordance with plans presented, on south 55.13 feet of Lot 22 and north 69.5 feet of Lot 21, Block 128 Riviera Section Part 9.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

The City Attorney advised the Commission that Judge William Brown had disqualified himself because of personal interest in two cases now pending before the Municipal Court, and advised the Commission that it was therefor necessary, according to the charter, for the Commission to designate some other city officer to preside over these cases.

RESOLUTION NO. 3393

A RESOLUTION APPOINTING CITY ATTORNEY
E. L. SEMPLE TO PRESIDE OVER CERTAIN
DESIGNATED CASES IN THE MUNICIPAL
COURT OF THE CITY OF CORAL GABLES.

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

That City Attorney E. L. Semple hereby is appointed and designated to preside over the Municipal Court of the City of Coral Gables in connection with the hearing of charges presently pending against Mr. Bruce Kennedy and Mr. Curtis E. Scott, because of the disqualification of Associate Judge William Brown and the illness and inability to act of Municipal Judge, C.S. Robertson.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE TO BE KNOWN AS CORAL GABLES "LOT CLEARING ORDINANCE": PROVIDING FOR THE GIVING OF NOTICE TO THE OWNER OR OCCUPANT OF PROPERTY TO CLEAR SUCH PROPERTY OF WEEDS, TREES OR OTHER DEBRIS; PROVIDING FOR THE DOING OF SUCH CLEARING BY THE CITY SHOULD THE OWNER OR OCCUPANT FAIL SO TO DO; IMPOSING A LIEN AGAINST SUCH PROPERTY FOR THE AMOUNT OF COST THEREOF; PROVIDING FOR THE COLLECTION OF SUCH LIENS TOGETHER WITH INTEREST THEREON.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes; seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. Walter Butler and Mr. Ray Gauger of the Walter Butler Company then presented and discussed several sets of proposed plans for the new bus terminal, and showed and discussed with the Commission three renderings of the building. The Commission directed that the various proposed plans be made available for examination by representatives of the Merchants Division of the Coral Gables Chamber of Commerce, The Coral Gables Board of Realtors, representatives of Municipal finance firms, representatives of the group of citizens who have been meeting on the subject and representatives of the Riviera Property Owners Association. The Commission further called for a conference to be held Saturday January 21, 1950 at 10:00 o'clock A.M., between the Commission and representatives of the above named groups and other interested citizens, concerning the proposed plan for the terminal.

RESOLUTION NO. 3394

A RESOLUTION CALLING A SPECIAL MEETING OF THE COMMISSION, TO BE HELD AT 7:30 P.M., JANUARY 24, 1950.

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

That a special meeting of the Commission of the City of Coral Gables, Florida is hereby called, to be held at 7:30 P.M., Tuesday, January 24, 1950 for the purpose of discussing and considering plans for the proposed new bus terminal, for

consideration of ways and means for development of an off-street parking program, and for consideration of such other business as may come before the meeting.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JANUARY 24, 1950

The Commission of the City of Coral Gables convened in special session at the City Hall, at 7:30 O'clock P.M., Tuesday, January 24, 1950, pursuant to call of such meeting at the regular meeting of January 17, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Mr. Walter Butler and Mr. Ray Gauger of the Walter Butler Company were present to discuss with the Commission the preliminary plans prepared for the bus terminal and terminal building.

RESOLUTION NO. 3395

A RESOLUTION APPROVING PRELIMINARY PLANS
FOR A BUS TERMINAL AND TERMINAL BUILDING

WHEREAS, Architect Ray R. Gauger has prepared and presented to this Commission numerous preliminary floor plans of the proposed new bus terminal and terminal building, requiring building of different sizes and layouts; and

WHEREAS, the said Architect has declared to this Commission that the bus loading and unloading area and driveways, as designed and shown on Plans AAA to FFF inclusive, and that building plan FFF, of approximately 16,037 square feet exterior size, are justifiable and necessary to meet the present and anticipated future needs of the transportation system and to furnish a minimum of space for services and businesses serving the convenience of the public and of a nature customarily found in transportation terminals, and has recommended their adoption and approval.

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

1. That this Commission hereby finds and determines that the terminal area and terminal building substantially in accordance with the size and layout of plan FFF, with a terminal building of approximately 16,037 square feet exterior size, is necessary and justifiable to meet present and anticipated future needs of the municipal transportation system, and hereby directs the said Architect to prepare final plans for such building and terminal area for presentation to and approval by this Commission.

2. That the matter of exterior elevation of such building and terminal area be referred to the Board of Supervisory Architects for its recommendations as to style and design.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:
"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
"Nays" - None.

RESOLUTION NO. 3396

A RESOLUTION AUTHORIZING EXCEPTIONS TO
ORDINANCE NO. 271, KNOWN AS THE "ZONING
ORDINANCE."

WHEREAS, the Zoning Board of Appeals at its regular meeting of January 23, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

1. Permit operation of a dress manufacturing business in rear of building to be built on Lots 36 to 39, inclusive, Block 26, Crafts Section, the equipment to be used in the manufacturing area to consist of tables, approximately 10 sewing machines, electric cutters and electric steam irons, subject to approval of plans for installation of such equipment being submitted to, and approved by, the Zoning Board.
2. Permit, for a temporary period until September 30, 1950, use of Lots 11 to 14, inclusive, Block 6, Crafts Section for a commercial parking lot to be operated with an attendant and with the stipulation that no building of any kind be erected on such lots.
3. Permit construction of residence containing a minimum of 2120 square feet on Lots 11 to 13, inclusive Block 13, Riviera Section 1.
4. Permit a 15 foot setback on avenue Malaga instead of 25 foot setback as now required, on Lots 10 and 11, Block 30, Crafts Section.
5. Permit an addition to be constructed on west side of residence, situated on Lot 12, Block 5, Granada Section. Such addition to be in line with the present wall of garage (2.1 feet from property line) and extend approximately 7 feet south and in line with dining room of such residence (4.1 feet from property line) and extend 9 feet north. Said addition to be part solid wall and part jalousied.
6. Permit construction of residence on Lots 3,4 and 5, Alex Blair's Resubdivision of Block 17, Section C, facing south on Avenue Obispo instead of east on Cordova Street as now zoned.
7. Permit Harry Fincher, Inc., to use Lots 21 and 22, Block 36, Douglas Section, for a parking area in connection with auto agency at 1607 Ponce de Leon Boulevard, subject to the following conditions:
 1. A hedge to be planted around the perimeter.
 2. The lots be surfaced with oil and sand.
 3. That part which is not surfaced to be landscaped.
 4. The area be used for parking only, no servicing of cars.
 5. No signs of any nature to be permitted.
 6. Sketch for Items 1, 2, 3, be submitted to be approved by the City Manager.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call:
 "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
 "Nays" - None.

The meeting was then turned over to a discussion with the Planning and Advisory Board and members of the Off-street Parking Committee upon the advisability of initiating a plan to provide off-street parking facilities in the business district of the city. The following members of the Planning and Advisory Board were present and took part in the discussion: M. B. Garris,

Chairman, Mr. Herbert Brown, and Mr. W. D. Fuller. The following members of the Off-street Parking Committee were present: Mr. W. G. Van Devere, Mr. S.E. Giffen, Mr. Roy Page, Mr. Eugene Mumpower, Mr. J. G. Leybourne, Mr. J. Allen Brown, Mr. C. T. McCreedy, Mr. Phil Laurence, Mr. Mark Chartrand, Mr. Sam Weissel, Mr. William Swain, Mr. Leroy Farmer and Mr. J. Cleve Allen.

Mr. M. B. Garris reviewed, for the benefit of the Committee, the choice of sites for off-street parking facilities previously made by the Planning and Advisory Board.

City Attorney E. L. Semple presented several forms of agreements, for use in contacting property owners, which provide acquisition of land by lease, by purchase money mortgage, by cash payment or by payment in revenue certificates. Mr. Semple declared that a definite estimate of the entire cost of the project must be had before financing could be arranged.

After considerable discussion it appeared to be the consensus of opinion of those present that steps should be taken to ascertain what sites may be available for such use and at what price such sites could be obtained.

Mayor Phillips named the following special sub-committee to work upon a definite plan for acquisition of parking lots, such committee to convene on February 1, 1950 and at such other times as found necessary: City Attorney E.L. Semple, Chairman, Mr. Eugene Mumpower, Mr. W. G. Van Devere, Mr. J. Allen Brown, Mr. Sam Weissel and Mr. C. T. McCreedy or Mr. A. B. Morrison, representing financing firms. The City Manager and City Clerk to be ex-officio members of such committee.

After conclusion of this discussion Mr. M. B. Garris explained to the Commission certain problems connected with the plans for the sanitary and storm sewer systems. He stated that at the present time it appeared necessary to plan a sewage disposal plant in connection with the sanitary sewer system. He pointed out that the cost of these projects will depend upon the area to be covered by the initial installation and, to some extent, upon the location of the disposal plant, all of which are matters for the decision of the Commission. He discussed two alternate sites for the disposal plant, namely, the incinerator tract west of the city and the site presently used by the University of Miami for a disposal plant. He advised that use of the University site, because of its central location, would permit the addition of further areas to the sewer system at a minimum cost, and that such site was sufficiently large to permit a disposal plant of a size sufficient to accommodate the entire city north of Sunset Road.

He estimated that the cost of the sanitary sewer system (including districts 1, 2 and 3 and a disposal plant) would be in the neighborhood of \$1,900,000, and that the addition of districts 4 and 5 might add another \$1,000,000 to the cost. He estimated that the cost of a storm sewer system covering the business area alone would cost around \$625,000, and that if the industrial section were added thereto, the cost would approximate \$750,000.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

100-1000

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
FEBRUARY 7, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, February 7, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was turned over to a public hearing upon confirmation of Local Improvement H-72 in accordance with notices published and notices mailed to property owners involved. Mr. John Ring, representing the Riviera Country Club, appeared to protest the paving of Avenue Mendavia between Avenue Alegriano and Blue Road. Letters were also presented from four property owners, namely, Adam G. Adams, Grant M. LeRoux, Robert McGahey and George J. Coleman, supporting this protest.

RESOLUTION NO. 3397

A RESOLUTION AMENDING RESOLUTION 3390
ADOPTED JANUARY 17, 1950, ORDERING LOCAL
IMPROVEMENT H-72 AND CONFIRMING SUCH
RESOLUTION AS AMENDED.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., February 7, 1950, pursuant to legal notice duly published in accordance with the provisions of the Charter of the City of Coral Gables, to hear all objections presented by interested parties to the performance of Resolution 3390, passed and adopted January 17, 1950 and ordering Local Improvement H-72, and to the plans, specifications and estimates of cost of such improvement; and

WHEREAS objections have been made to the paving of Avenue Mendavia between Avenue Alegriano and Blue Road, and no other objections were made or sustained;

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

1. That Resolution 3390, passed and adopted January 17, 1950 and entitled "A Resolution Ordering Local Improvement H-72", be and the same hereby is amended by deleting therefrom Avenue Mendavia from Avenue Alegriano to Blue Road so that Section 1 thereof shall read:

"1. Paving to a 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, Avenue Alegriano from Santa Maria Street to Avenue Mendavia, and Avenue Mendavia from Santa Maria Street to Avenue Alegriano, at an estimated cost of \$3,040.00, of which \$2,684.00 shall be apportioned to abutting properties and \$356.00 apportioned to the city."

2. That Resolution 3390, adopted January 17, 1950, ordering Local Improvement H-72, as amended hereby, be and the same hereby is confirmed, and the cost of such improvement, except street intersections, shall be assessed against all lots and lands adjoining or abutting upon such improvement.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. J. Cleve Allen and Mr. Eugene Mumpower presented a letter from the

Retail Merchants Division of the Chamber of Commerce, recommending to the Commission a program to install more adequate street lighting in the business district of the city. The letter recommends the installation of higher intensity lights in modern pendent luminaries mounted on upsweep bracket arms throughout the more concentrated portions of the business district, on a step by step basis as finances of the city will permit. Mr. Robert Bostwick of the Florida Power and Light Co. explained that that company would install 10,000 lumen lights on the four blocks of Coral Way at no cost to the city for installation, and estimated that the additional power bill for such lights would amount to approximately \$1333.00 per year over the present cost. The Commission approved the general plan and declared that it intended to direct such installations throughout Coral Way and for a needed distance on Ponce de Leon Boulevard on both sides of Coral Way as soon as the city budget would permit such program, and in the meantime and for the remainder of this fiscal year an initial installation on Coral Way was approved.

RESOLUTION NO. 3398

A RESOLUTION AUTHORIZING INSTALLATION OF MODERN STREET LIGHTING ON FOUR BLOCKS OF CORAL WAY.

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

That the immediate installation of 10,000 lumen lights in modern pendent luminaries mounted on upsweep bracket arms is hereby authorized upon Coral Way between Douglas and LeJeune Roads.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Discussion was then had upon bids received for the furnishing of two dump trucks to the city, such bids having been received on February 6, 1950.

Bids were received from the following firms: Howe E. Moredock, International; Nolan-Brown Motors, White, Sam Murray, All Miami Motors and Huskamp Motors, Ford; Tutan Motors, Dodge; Freeman and Sons, Reo; and Andrews Federal Truck Co., Federal. The City Manager stated that the lowest bid meeting all specifications was made by Huskamp Motors, and recommended that such bid be accepted.

RESOLUTION NO. 3399

A RESOLUTION AUTHORIZING PURCHASE OF TWO TRUCKS.

WHEREAS bids have been received for two dump

trucks, and the bid of Huskamp Motors for two Ford F-8 trucks with Garwood bodies is the low bid and fully meets specifications;

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

That the bid of Huskamp Motors for two Ford F-8 trucks with Garwood W-12 bodies with F-4 CA hoists, at a price of \$4061.72 each, is hereby accepted, and the City Manager is hereby authorized to purchase such trucks, one for the use of the Streets Department and one for the use of the Parks Department.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

- "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

The City Manager and Superintendent Pittman then advised the Commission that the Parks Department needed an additional dump truck of the same type and model as those purchased above, and requested that a third such truck be bought for the Parks Department.

RESOLUTION NO. 3400

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE DUMP TRUCK, AND MAKING AN APPROPRIATION THEREFOR.

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

1. That the City Manager is hereby authorized to purchase one Ford F-8 truck with Garwood body and F-4 CA hoist, for the use of the Parks Department, from Huskamp Motors, at a price of \$4061.72 in accordance with bids received on similar equipment on February 6, 1950.

2. That the sum of \$4061.72 for such purpose is hereby appropriated from unappropriated revenue of the city to Appropriation Account 2540-311 for the fiscal year ending June 30, 1950.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nay" - Commissioner Hartnett.

Mr. F. J. Neff of the Police Department appeared to request permission from the Commission for the Police Benevolent Association to construct a pistol range on the incinerator tract. He stated that the range would be constructed without cost to the city, but that the loan of city equipment presently at the incinerator grounds was requested.

RESOLUTION NO. 3401

A RESOLUTION PERMITTING THE CONSTRUCTION OF A PISTOL RANGE ON THE INCINERATOR PROPERTY, SUBJECT TO CONDITIONS HEREIN STATED.

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

That permission is hereby granted to the Department of Public Safety and the Police Benevolent Association to construct a pistol range on the incinerator tract at a location as shown on sketches submitted to the Commission, and to use city equipment in the course of such construction, subject, however, to the approval by Dade County authorities of this proposed use of such property.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

The City Clerk presented to the Commission a letter from the Coral Gables Athletic Commission recommending that the ordinances of the city be amended to include within the jurisdiction of the Commission, professional basketball, tennis, hockey and golf events or exhibitions. After discussion it was moved by Commissioner Mayes, seconded by Commissioner Healy, that this recommendation be tabled at the present time. The motion was carried by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nay" - Commissioner Hendrick.

Commissioner Hartnett declared that if sports events or exhibitions at the Coliseum required additional police or fire protection the promoters of such events be required to pay the cost thereof.

RESOLUTION NO. 3402

A RESOLUTION AUTHORIZING EXCAVATION OF CANAL ADJACENT TO LOTS 24 TO 34 INCLUSIVE, BLOCK 99, COUNTRY CLUB SECTION 5.

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

That permission is hereby granted to C. A. O'Neill to clear Lots 24 to 34 inclusive, Block 99, Country Club Section 5, and to excavate the canal adjoining such lots to the platted lot lines thereof upon the following terms and conditions:

1. That permission for such clearing and excavation be secured from the owners of such lots.

2. That excavation be done in such manner as to prevent damage to any other property.

3. That no explosives be used or blasting done without prior consent of the City Manager.

4. That work be done at reasonable hours as established by the City Manager.

5. That throughout the length of the excavation above authorized, the canal shall be excavated to a depth of not less than minus eight feet mean low water U.S.E.D. Bay Datum.

6. That excavation shall be completed and site cleaned up to the satisfaction of the City Manager on or before the expiration of 6 months from the date hereof, and in default thereof the city shall have the right, at the end of such period, to enter upon the premises and remove any spoil remaining thereon and dispose of same as it may see fit.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays"- None.

Mr. Harry Lindborg appeared to discuss refusal by the Board of Architects to permit a certain sign to be erected by him, and declared that he had photographs of other signs now in existence that he alleged to be the same type for which permission was refused him. He was referred to the Zoning Board.

Mr. M. B. Garris appeared to discuss the plans for the proposed sanitary sewer system, and stated that before any accurate estimate of cost of proposed Districts 4 and 5 could be made, diagrammatic platting of the elevations of such districts was necessary, and offered to do this necessary work for a fee of \$500.00.

RESOLUTION NO. 3403

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$500.00 FOR ENGINEER'S FEES IN CONNECTION WITH THE SANITARY SEWER PROJECT.

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

That M. B. Garris is hereby retained at a fee of \$500.00 to prepare diagrammatic plats of elevations of proposed sanitary sewer Districts 4 and 5, upon which an accurate estimate of cost of the inclusion of such districts in the sanitary sewer system may be based.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Tax Assessor T.C.Blount discussed with the Commission at some length the proposed equalization of the tax roll. It was decided to call a special conference for Saturday, February 11, at 9:30 A.M., at which time the Commission, the Tax Assessor, and the special committee appointed to make recommendations upon revaluations, could further discuss the proposed changes and equalization of the tax roll.

The City Manager presented a letter from Mr. Byron Sperow, offering to sell block 255, Riviera Section to the city at a price of \$1800. No action was taken.

The City Attorney discussed with the Commission the request of Mrs. W. D. Oglesby for the vacation of a portion of the alley in Block 1, Biltmore Section. The matter was referred to the City Attorney with directions to work out an agreement with Mrs. Oglesby, similar to that recently made with Mr. Georges Milenoff.

The City Manager stated that he had received a request from some of the colored residents of the city that city equipment be used to haul the debris from the clearing of Lot 72, Coconut Grove Warehouse Center. This is a privately owned lot and is planned to be used as a recreation park, and the clearing is to be done at no cost to the city. The City Manager was authorized to arrange for the hauling of the debris from clearing this lot.

The City Manager advised that he was receiving letters in which applications were made to rent space in the proposed bus terminal. The Commission suggested that such letters be received and placed on file, and stated that a definite rental policy would be determined by the Commission at a later date.

Mayor Phillips requested that the City Attorney study the ordinances of this city concerning search warrants and arrests for gambling, and to recommend a procedure which would avoid the dismissal or acquittal of defendants charged with gambling, because of technical defects in search warrants.

Mayor Phillips advised that he had received numerous requests for a three-phase traffic light at Douglas Road and Coral Way. The matter was referred to the City Manager. The City Manager advised that negotiations had been in process for some time to get the City of Miami to join in the installation of such traffic light, but thusfar had been unsuccessful.

Mayor Phillips advised that he had had some conferences with Dr. Machlan concerning the extension of the city lease on the Biltmore Golf Course and stated that Dr. Machlan was pleased with the city operation and would recommend the extension of the lease. The Commission suggested that Mayor Phillips start negotiations through that channel and that he request an extension for five years.

RESOLUTION NO. 3404

A RESOLUTION APPROPRIATING \$250.00 FOR THE PURPOSE OF AN INTERNATIONAL TRADE MART IN THE MIAMI AREA.

WHEREAS, efforts have been made for a long period of time to establish in the Miami area an International Trade Mart and Cultural Center for the promotion of trade and the exchange of culture between this country and the several Latin American nations; and

WHEREAS the establishment of such International Trade Mart in the Miami area would be of great benefit to Coral Gables and the citizens thereof, and to all the communities of this area, in the promotion of trade between the people of this country and of South Florida and the nations to the South.

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

That the sum of \$250.00 be and hereby is appropriated from the General Contingent Fund of the city toward expenses of the planning, promotion and development of an International Trade Mart in the Miami area.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3405

A RESOLUTION AUTHORIZING THE TRANSFER OF RETAIL PACKAGE LIQUOR STORE LICENSE.

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

That the transfer of retail package liquor store license heretofore issued to Harry Danziger d/b/a Harry's Liquor Store, 3804 S.W. 8th Street, to Benjamin Riner doing business at the same address, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from Mr. William C. Hartnett, Chairman of the Athletic Commission, stating that the firemen and policemen working at the Coliseum during the Elks Boxing Show, January 23, 1950, have stated that they desire to donate their customary fees for their services to the Elks benefit fund. The Commission authorized the Director of Finance to pay directly to the Elks benefit fund the amount of fees payable to firemen and policemen who worked at such event.

RESOLUTION NO. 3406

A RESOLUTION APPOINTING A MUNICIPAL JUDGE.

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

That William F. Brown, Jr. be, and he hereby is, appointed Municipal Judge of the City of Coral Gables.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Commissioner Mayes commented upon the recent articles published in the Miami Herald commending the City of Coral Gables upon its clean and efficient government. Mayor Phillips stated that he had thanked the writer and the Herald for such fine publicity.

A request by Mr. Sam Church for a local improvement for paving the alley in Block 1, Biltmore Section, was deferred.

Superintendent of Public Works Robinson advised the Commission that Mr. Sam Weissel had requested approval of the installation of an underground gasoline pump and tank and a car lift on his property situated at the south-east corner of Block 2, Crafts Section. The City Attorney advised the Commission that in his opinion the installation of such equipment on such lot, without a building, did not violate any existing ordinance of the city.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
FEBRUARY 21, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, February 21, 1950. Mayor Phillips in the Chair; Commissioners Hartnett and Hendrick present. Commissioners Healy and Mayes absent.

Minutes of the regular meetings of January 17 and February 7, 1950, and of the special meeting of January 24, 1950, were read and approved.

RESOLUTION NO. 3407

A RESOLUTION AMENDING RESOLUTION NO. 3314 AND PROVIDING FOR PAYMENT OF SPECIAL ASSESSMENT LIENS IN LOCAL IMPROVEMENT A-5 IN TWO INSTALLMENTS.

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

That Section 4 of Resolution 3314 passed and adopted September 20, 1949, be and the same hereby is amended so that Section 4 shall read:

"That each and every assessment described herein shall become due and payable November 1, 1949, except that assessments in the amount of \$25.00 or more against any one parcel as shown on plats of record, may be paid in two annual installments on or before the first day of November 1949 and 1950, provided that the owner thereof shall file with the City Manager his written undertaking waiving all irregularities and illegalities in connection with said assessment against such parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent from November 1, 1949".

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

Mr. John Gazley, who appeared before the Commission in connection with the above resolution, was notified informally that he would soon receive a notice of cancellation from the city of his month-to-month lease for use of certain city owned lots in Block 35, Section K. Mr. Gazley is presently using such lots on a month-to-month basis subject to cancellation on 30 days written notice in accordance with Resolution 3032 passed and adopted April 20, 1948.

RESOLUTION NO. 3408

A RESOLUTION AUTHORIZING INSTALLATION OF A RAILROAD SPUR TRACK IN ALLEY IN BLOCK 7, INDUSTRIAL SECTION.

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

That authority and permission is hereby granted to the Giffen Roofing Co. and to the Florida East Coast Railroad to install a spur track westerly from the presently existing railroad siding located in the alley in Block 7, Industrial Section,

from a point on said siding north of the north line of Avenue San Lorenzo, and extending northerly and westerly from said siding along the alley and Lots 17 to 22 inclusive, of said block to the south line of Avenue Altara, provided:

1. That the said spur track be installed at the necessary elevation to permit proper drainage and later paving of said alley; and

2. That the said alley be graded and filled to the grade of the rails as installed.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3409

A RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO GIFFEN ROOFING COMPANY, A FLORIDA CORPORATION, TO CONSTRUCT AND MAINTAIN WIRE FENCE AND GATE IN ALLEY IN BLOCK 3, INDUSTRIAL SECTION, ALONG THE SOUTH LINE OF BIRD ROAD IN SAID BLOCK 3, INDUSTRIAL SECTION.

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

That the issuance of a permit to Giffen Roofing Company, a Florida corporation, to construct and maintain a wire fence and gate in and over the alley in Block 3, Industrial Section of Coral Gables, along the south line of Bird Road in said Block 3 of Industrial Section, is hereby authorized, subject to the following conditions:

1. That the said Giffen Roofing Company will accept said permit to construct and maintain said wire fence and gate with the express understanding that the construction and maintenance of such wire fence and gate shall not be construed as an abandonment of said alleyway in Block 3, Industrial Section, and that the said Giffen Roofing Company will not be considered as holding said alleyway adversely to the City of Coral Gables.

2. That the said Giffen Roofing Company will agree to remove such fence and gate from said alleyway within thirty days after receipt of written request from the City of Coral Gables so to do.

3. That the written consent of Coral Gables, Inc., a Florida corporation, be obtained prior to the issuance of said permit, and an agreement on their part, that the action of the City of Coral Gables in granting said permit to Giffen Roofing Company shall not be construed as an abandonment of said alleyway by the City of Coral Gables.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3410

A RESOLUTION AUTHORIZING EQUALIZATION OF THE TAX ASSESSMENT ROLLS OF THE CITY, AND EXPRESSING APPRECIATION FOR THE WORK OF THE SPECIAL COMMITTEE UPON ASSESSMENTS.

WHEREAS the Tax Assessor and the Special Advisory Committee on Assessments, consisting of C. W. Kistler, Chairman, Clyde R. Higgins, Donald F. Peck, George Preston, Otto Ream, Samuel Spector and C. Dana Woodman, have recommended that the assessed valuation of all improved real estate in the city be equalized, and have recommended that the assessed value of improvements be fixed for city purposes by the assessor by first applying to each classification of improvements an equal valuation rate per cubic foot, such rate to be determined at the discretion of the assessor; by the allowance of 2 percent of such value per year of age of such improvement for depreciation and obsolescent factors, to a maximum reduction in any case of 50 percent of such classified assessed value; and by allowance of a further reduction factor of 2 cents per cubic foot in the case of all improvements constructed before January 1, 1930, having flat or semi-flat roofs.

WHEREAS the Assessor and said committee have further recommended that the assessed value of all lands in the city be adjusted to more clearly reflect the real value thereof in just proportion between and among all parcels, and in relation to the area requirements for buildings within each section;

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

1. That the recommendations of the Tax Assessor and of said Committee, as above outlined, are hereby approved, and the Tax Assessor is hereby authorized to proceed with equalization of the tax roll in accordance therewith.

2. That this Commission hereby expresses to the members of the Special Advisory Committee on Assessments its deep appreciation for their conscientious and thorough study of this problem, and for the time and effort expended by them in this matter to the benefit of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3411

A RESOLUTION AUTHORIZING TEMPORARY HELP
IN THE TAX ASSESSOR'S DEPARTMENT, AND
MAKING AN APPROPRIATION THEREFOR.

WHEREAS the Tax Assessor has been authorized and directed to equalize the tax assessment roll of this city, and to permit this work to be done for the 1950 assessed valuations it will be necessary to engage additional temporary help in such department;

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

That there is hereby appropriated from the General Contingent Fund to Appropriation Account 2531-101, the amount necessary for the employment of such additional temporary help as may be required to complete the equalization of the tax rolls of this city for the 1950 assessment.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

Mayor Phillips advised that he had written the Veterans Administration to open negotiations for the extension of the lease to the Biltmore Golf Course

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and that the city's request for extension had been approved by Dr. H. F. Machlan, Manager of the Pratt General Hospital.

The City Manager and Superintendent of Waste Department Pittman discussed the mounting delinquencies in the collection of garbage and trash fees, and the following resolution was presented and read:

RESOLUTION NO. 3412

A RESOLUTION AUTHORIZING LITIGATION AGAINST PERSONS DELINQUENT IN THE PAYMENT OF GARBAGE AND TRASH FEES.

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

That the City Attorney is authorized and directed to file suits in Small Claims Court for garbage and trash collections fees due for collection service rendered; and all city officials are directed to pursue a strict policy of investigation and arrest of all persons found responsible for the creation of any unsanitary conditions arising from lack of collection of garbage or trash because of nonpayment of collection fees.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

Mr. Walter Butler presented revised floor plan No. 15, dated February 21, 1950, for the bus terminal building, and presented perspective drawings of the front and side elevations of the bus terminal. Discussion was held as to whether or not the plans should include airconditioning for all units of the building, or whether the airconditioning of stores or other areas be left to individual airconditioning units to be installed by tenants. The Commission agreed that bids should be asked covering both alternatives. Discussion was also had as to the height of the platform canopy covering the loading area. Mr. Butler declared that Mr. Gauger definitely recommended 18 feet as the height of such canopy, and the City Manager declared that he believed a 16 foot height would be more desirable. The Commission directed that the question of the height of the platform be left to the recommendation of the Board of Architects and the City Manager.

RESOLUTION NO. 3413

A RESOLUTION APPROVING PLANS FOR THE BUS TERMINAL BUILDING.

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

That revised floor plan No. 15, dated February 21, 1950, is hereby approved in general as the floor plan of the bus terminal building; that the City Manager is hereby authorized to approve all other construction plans in general accord therewith and hereafter prepared for the

terminal project, and all details of such construction plans are hereby left to the discretion of the City Manager.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Dr. James Lyons, requesting the paving of alley in block 4, Biltmore section.

RESOLUTION NO. 3414

A RESOLUTION ORDERING LOCAL IMPROVEMENT A-8

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972 Special Acts of Florida as Amended:

Paving the platted alley in Block 4, Biltmore Section, to a 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, at an estimated cost of \$1000 (of which an estimated \$698 will be apportioned to the city, and \$302 to abutting property).

2. That the cost of such improvement, except that portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such alley, on a frontage basis, which said properties are hereby designated as Improvement District A-8.

3. That said special assessments shall be payable 30 days after confirmation of the preliminary assessment roll therein, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Mr. W. G. Van Devere, offering the city lots 35 to 42 inclusive, Block 2, Crafts Section, for an off-street parking lot on a three year lease, on condition that parking on Coral Way be changed from diagonal to parallel parking between Salzedo Street and Ponce de Leon Boulevard, and requesting that all the adjoining vacated lots in the block be likewise acquired by the city.

The City Manager advised that discussions had been held with the Youth Center concerning the charging of the Youth Center with the cost of maintenance of the grounds, being furnished by the city. The Commission authorized a deduction from the appropriation for the Youth Center, and a credit to the Parks Department appropriation, beginning as of January 1, 1950, in the

amount of \$65.88 per month which is determined to be the cost of maintenance of the Youth Center grounds being carried on by the city.

The City Manager advised that a three phase traffic light had been agreed to by the City of Miami at the corner of Douglas Road and Coral Way, and would soon be installed.

The City Attorney presented to the Commission an agreement signed by Jeanne P. Oglesby and W. Dickey Oglesby, her husband, wherein such parties agree that if the City of Coral Gables will vacate the east 136.06 feet of the alley in Block 1, Biltmore Section, they will deed to the city Lot 18 of such block as a new alley outlet, and will pay for the paving of the alleyway over said lot 18 so that no portion of the cost of paving such lot would be borne by the owners of property adjoining such lot to the west; and further agreeing that if at any future time the platted alleyway should be reopened, that such parties would rededicate such alleyway and remove at their expense any and all buildings that may have been constructed over such alleyway, on condition that the city reconvey to them Lot 18 above described.

ORDINANCE

AN ORDINANCE OF THE CITY OF CORAL GABLES VACATING AND DISCONTINUING THE EASTERLY 136.06 FEET MORE OR LESS OF THAT CERTAIN ALLEY RUNNING EAST AND WEST THROUGH BLOCK 1 OF BILTMORE SECTION OF CORAL GABLES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 28 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Mr. Samuel Church, owner of lots 8 and 9, Block 1, Biltmore Section, requesting that the alley in such block be paved. This is the alley involved in the vacation ordinance above recited.

RESOLUTION NO. 3415

A RESOLUTION ORDERING LOCAL IMPROVEMENT A-9

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as Amended.

Paving to a 20 foot width with a 6 inch compacted lime rock base, primed and sealed with asphaltic oils and sand finished, the alley in Block 1, Biltmore Section,

beginning at Biltmore Way, thence running north, thence east to the east line of Lot 18 in said block extended and thence south on said Lot 18 to Biltmore Way, at an estimated cost of \$2100 (of which an estimated \$405 shall be apportioned to the city, and \$1695 to abutting property).

2. That the cost of such improvement, except that portion thereof abutting city owned property, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such alley, on a frontage basis, which said properties are hereby designated as Improvement District A-9.

3. That said special assessments shall be payable 30 days after confirmation of the preliminary assessment roll therein, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida 1929 as Amended.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3416

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting February 13, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit addition to existing garage exceeding the present zoning of 600 square feet by 225 square feet, on Lots 12 and 13, Block 2, Section E.

2. Permit construction of residence on Lot 9, Block 16, Section E, containing 2065 square feet instead of 2350 square feet as now zoned.

3. Permit enclosing of porte-cochere on Lots 3 and 4, Block 30, Granada Section.

4. Permit enclosure of existing canopy over ramp at discontinued filling station, Lot 5, Block 24, Section L.

5. Permit erection of signs on Lot 23, Block 3, Crafts Section, in accordance with specification models presented by Harry Lindborg to the Zoning Board.

6. Permit erection of residences on Lots 10 and 11, Block 110, Country Club 5, facing Orduna Drive instead of Blue Road as now zoned, and permitting construction of 4 residences on Lots 8 to 11, Block 110, Country Club 5, containing a minimum floor area of 2500 square feet instead of 3025 square feet as now zoned, providing that each of said residences is built upon a site having at least 100 feet canal frontage.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" -

Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3417

A RESOLUTION AUTHORIZING EXECUTION OF A
DISCLAIMER.

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

That the Mayor and City Clerk are hereby authorized to
execute the following waiver from disclaimer:

WAIVER AND DISCLAIMER

WHEREAS it appears by a Certified Survey dated June 28, 1948 and prepared by M. B. Garris, Civil and Consulting Engineer, of Lots 14 and 15 in Block 24 of CORAL GABLES BILTMORE SECTION, according to the plat thereof recorded in Plat Book 20 at page 28 of the Public Records of Dade County, Florida, it appears that the sidewalk erected and maintained by the City of Coral Gables, a municipal corporation of the State of Florida, along the easterly side of said Lot 14 encroaches on said lot 14 a distance of 0.1 feet at the northeasterly corner of said lot and a diminishing distance southerly along the easterly side of said Lot 14, which said encroachment was and is inadvertant but clouds the title to said lot 14; and

WHEREAS, the City of Coral Gables aforesaid desires to waive and disclaim any right to maintain said sidewalk on any part of said Lot 14 and to consent to the removal thereof at any time;

NOW, THEREFORE, the City of Coral Gables, a municipal corporation of the State of Florida, hereby disclaims any interest in and to any part of;

Lot 14 in Block 24 of CORAL GABLES
BILTMORE SECTION, according to the
plat thereof recorded in Plat Book
20 at page 28 of the Public Records
of Dade County, Florida;

and waives and disclaims any right to maintain the sidewalk lying along the easterly side thereof on any portion thereof, and consents to the removal of the encroaching portion of said sidewalk at any time at the expense of the owners of said lot.

Executed by the Mayor and City Clerk of said City of Coral Gables, Florida, this February 21, 1950, pursuant to the authority granted by Resolution No. 3417 adopted by the City Commission of said City of Coral Gables on February 21, 1950.

City of Coral Gables, Florida (SEAL)

By W. KEITH PHILLIPS s/
Mayor

ATTEST:

E. B. POORMAN s/
CITY CLERK

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None.

The Commission decided to hold a special conference at 4 o'clock P.M., Tuesday, February 28, 1950, for consideration of the retention of fiscal agents for the city in planning of the proposed capital improvement program.

The Commission considered the request of the Dade County Juvenile Council that Ingrid Bergman films be banned in the city. The City Attorney advised that

in his opinion the Commission had no power to take such action, and the matter was therefore tabled.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips

MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman

CITY CLERK

E. B. Poorman

RECORDED

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
MARCH 7, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, March 7, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Hendrick and Mayes present. Commissioner Healy absent.

Minutes of the regular meeting of February 21, 1950 were read and approved.

The meeting was then turned over to receipt and consideration of bids for paving work in the City of Coral Gables, designated as Local Improvement H-72.

RESOLUTION NO. 3418

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-72, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids on street paving designated as Local Improvement H-72, and bids therefor were received as follows:

Name	Price Per Square Yard
Troup Bros. Inc.	\$.60
Weekley Paving Co.	.64
McFarlin Construction Co.	.68
Brooks Paving Co.	.69
W.T.Price Dredging Corp.	.70
E.E.Collins Construction Co.	.74
Bælcher Oil Co.	.87½

AND WHEREAS, the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3390 and designated as Local Improvement H-72, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mrs. Royce Powell and Mr. Jonathan Seymour of the Parks Department appeared before the Commission concerning the Second Annual Metropolitan Miami Flower Show to be held at Dinner Key, March 17 to 20, 1950. Mrs. Powell requested

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that the city, through its Parks Department, assist in the preparation and dismantling of the exhibits. Mr. Seymour estimated that the cost of use of city personnel and equipment would amount to approximately \$500. The Commission authorized the use of city personnel and equipment in this project, for the purpose of publicizing the Parks Department of Coral Gables.

The meeting was then turned over to public hearings upon the acceptance of the paving work in special assessments H-67 and H-64, and to public hearings upon the confirmation of Local Improvements A-8 and A-9.

RESOLUTION NO. 3419

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT H-67.

WHEREAS, by Resolution No. 3330 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-67, and by Resolution No. 3343 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-67 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3420

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT H-64.

WHEREAS, by Resolution No. 3327 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-64, and by Resolution No. 3346 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-64 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None

RESOLUTION NO. 3421

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT A-8.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 7, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution 3414 passed and adopted February 21, 1950 and ordering Local Improvement A-8, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were made;

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

That Resolution No. 3414 passed and adopted February 21, 1950 and ordering Local Improvement A-8, be and the same is hereby confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3422

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT A-9.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 7, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution 3415 passed and adopted February 21, 1950 and ordering Local Improvement A-9, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were made;

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

That Resolution No. 3415 passed and adopted February 21, 1950 and ordering Local Improvement A-9, be and the same is hereby confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

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Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3423

A RESOLUTION AUTHORIZING THE PURCHASE OF A TRIPLE COMBINATION 750 GALLON PUMPER AND FIRE TRUCK ASSEMBLY, AND MAKING APPROPRIATIONS THEREFOR.

WHEREAS, bids have been received for the purchase of a triple combination 750 gallon pumper and fire truck assembly as follows:

American LaFrance Foamite Corp.	\$14,398.00
Mack Truck Corporation	15,176.75
Peter Pirsch and Sons	13,700.00
Seagrave Corporation	14,600.00
A.S.Whidden (Ward Lafrance)	13,566.00

AND WHEREAS, the City Manager, the Director of Public Safety and the Captain of the Fire Department have recommended that the Seagrave Model 85 combination pumper and fire truck assembly will best meet the needs of the city, and that the bid of the Seagrave Corporation therefor is the most advantageous bid to the city;

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

1. That the City Manager be and he hereby is authorized to purchase from the Seagrave Corporation a Seagrave Model 85 triple combination 750 gallon pumper and fire truck assembly at a price not to exceed \$14,600 FOB Coral Gables.
2. That the sum of \$8,100 is hereby appropriated from unappropriated revenue of the city to Appropriation Account 2550-311 for the fiscal year ending June 30,1950, for the purchase of the above described equipment.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Discussion was then had concerning proposals offered to the city in regard to the retention of a fiscal agent by the city. Mr. Nichols and Mr. Hill of the J. D. Bradford Company of Nashville were present at the meeting, and advised that that company desired to present a proposal to act as fiscal agent for the city. The Commission directed that such proposal be submitted in writing to the City Manager.

RESOLUTION NO. 3424

A RESOLUTION FINDING AND DETERMINING THAT THAT CERTAIN COMMERCIAL MANUFACTURING USE ON THAT CERTAIN PROPERTY KNOWN AND DESCRIBED AS LOTS 28, 29, 30 AND 31, BLOCK 11, FLAGLER SECTION OF CORAL GABLES, FLORIDA, IS A NON-CONFORMING USE.

WHEREAS, under Ordinance No. 153, which was passed and adopted on the 15th day of December, 1930, the property described as Lots 28, 29, 30 and 31, Block 11, Flagler Section of Coral Gables, Florida, was zoned for "Commercial" use; and

WHEREAS, Section 10 of Ordinance 271, passed and adopted on the 16th day of February, 1937, as amended, provides that a non-conforming use lawfully existing at the time of passage of said ordinance might be continued subject to certain conditions; and

WHEREAS, on said date of February 16, 1937, said property became a non-conforming use under the Zoning Ordinances of the City of Coral Gables, Florida; and

WHEREAS, said property is improved with a one-story commercial-type building, which building was constructed prior to 1929; and

WHEREAS, said building was used for the operation of dress manufacturing from 1929 until 1941 by B.S. Kahn & Company, Inc.; and

WHEREAS, said building has been used since the date vacated by the said B.S. Kahn & Company, Inc. until the present time by Tropical Paper Box Company for the manufacture of paper boxes; and

WHEREAS, said property has been used continuously and uninterruptedly as business property from 1929 until the present time;

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

1. That this Commission hereby finds and determines that that certain commercial manufacturing use being operated in that certain building located on Lots 28, 29, 30 and 31, Block 11, Flagler Section of Coral Gables, Florida, is a non-conforming use under the provisions of the Zoning Ordinances of the City of Coral Gables, Florida, and as such is a legal use of such property.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; Mayor Phillips. "Nays" - None. Commissioner Mayes not voting.

ORDINANCE NO. 639

AN ORDINANCE APPROVING A PLAT ENTITLED "COCO PLUM ESTATES, A SUBDIVISION OF LOTS 102 AND 103 OF THE SECOND AMENDED PLAT OF COCOPLUM HEIGHTS, PLAT BOOK 1, PAGE 73, DADE COUNTY, FLORIDA, LYING IN SECTIONS 31 AND 32, TOWNSHIP 54 SOUTH, RANGE 41 EAST", AND ACCEPTING DEDICATIONS OF STREETS AS SHOWN ON SUCH PLAT; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett,

Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 639.

Superintendent of Public Works Robinson advised the Commission that Mr. John Gautier desired to move his Jeep agency into the building on Lots 3 and 4, Block 4, Industrial Section, and desired permission to use the building for servicing and repair of automobiles in connection with this agency, in the same manner in which the building was used by A.S. Whidden, a prior tenant. On motion of Commissioner Hartnett, seconded by Commissioner Mayes and unanimously passed, the City Clerk was authorized and directed to issue an occupational license for automobile sales and service in such building.

RESOLUTION NO. 3425

A RESOLUTION APPROPRIATING THE SUM OF \$1,433.75 FROM THE CIGARETTE TAX FUND OF THE CITY FOR THE CONSTRUCTION OF DRAINS.

WHEREAS, the City of Coral Gables, as authorized by the terms of Chapter 26320 Laws of Florida, Acts of 1949, has levied a tax upon the sale, use and distribution of cigarettes within the corporate limits of this city, and has received and has on hand funds in excess of the amount hereinafter appropriated, constituting receipts from such tax; and

WHEREAS the use of such funds by this city for construction of storm sewers, drains and sewerage disposal systems is specifically permitted by said Chapter 26320;

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

1. That there is hereby appropriated, from funds on hand from the collection of the cigarette tax of this city levied and imposed by Ordinance 626 pursuant to authorization of Chapter 26320 Laws of Florida, Acts of 1949, the sum of \$1,433.75 to Appropriation Account 2545-322C for the fiscal year ending June 30, 1950, for the specific purpose of construction of drains and drainage ditches at the following locations in the city:

Ponce de Leon Blvd. at Palma Court	150 lineal feet
Alhambra Plaza at Galiano Street	100 " "
Avenue Mendoza at Galiano Street	125 " "

2. That any portion of said appropriation not used or needed to complete the work authorized herein shall be returned to the Cigarette Tax Fund of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3426

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-73.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as amended:

Widening each of the divided roadways to a 16 foot width where necessary, with a 6 inch compacted lime rock base, and surfacing each of the divided roadways to a 16 foot width with a leveling course and a one inch asphaltic concrete surface, Avenue Sevilla, from Red Road to Alhambra Circle, in Section D and Country Club Section Part 1,

at an estimated cost of \$2,213.56, of which an estimated \$1,602.41 shall be apportioned to abutting properties and an estimated \$611.15 to the city.

2. That the cost of such improvement, except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets on a frontage basis, which said property is hereby designated as Improvement District H-73.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 19372, Special Acts of Florida as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3427

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-74.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as amended;

Resurfacing with a leveling course and a one inch asphaltic concrete surfact to the present width of 18 feet, Alhambra Circle from Coral Way to Avenue Sevilla in Section D,

at an estimated cost of \$1,910.45, of which an estimated \$1,736.45 shall be apportioned to abutting properties and an estimated \$174.00 to the city.

2. That the cost of such improvement, except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets on a frontage basis, which said property is hereby designated as Improvement District H-74.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida as amended

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Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"- Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3428

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-75.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as amended:

Widening to 18 feet where necessary, with a 6 inch compacted lime rock base, and resurfacing with a leveling course and a one inch asphaltic concrete surface to a width of 18 feet, Avenue Andalusia from Cordova street to DeSoto Boulevard in Section A.

at an estimated cost of \$2,888.87, of which an estimated \$2,626.22 shall be apportioned to abutting properties and an estimated \$262.65 to the city.

2. That the cost of such improvement, except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and lands adjoining and contiguous or bounding and abutting upon such streets on a frontage basis, which said property is hereby designated as Improvement District H-75.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendirkc. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3429

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-76.

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

1. That a local improvement described and designated as follows shall be made under Sections 62 and 63, Chapter 13972, Special Acts of Florida as amended:

Widening to 18 feet where necessary, with a 6 inch compacted lime rock base, and resurfacing to a width of 18 feet with a leveling course and a one inch asphaltic concrete surfact, North Greenway Drive from Coral Way to Avenue Valencia in Section D.

at an estimated cost of \$1,194.64, of which an estimated \$1,044.19 shall be apportioned to abutting properties and an estimated \$150.45 to the city.

2. That the cost of such improvement, except intersections, the cost of which shall be borne by the city, shall be defrayed by a special assessment upon all lots and

lands adjoining and contiguous or bounding and abutting upon such streets on a frontage basis, which said property is hereby designated as Improvement District H-76.

3. That said special assessment shall be payable 30 days after confirmation of such assessment, or at such times and in such installments as the Commission may designate pursuant to Chapter 13972, Special Acts of Florida as amended.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

City Manager and Superintendent of Public Works Robinson advised the Commission that \$7,000 had been budgeted this fiscal year to replace the bridge on Alhambra Circle with a new wooden bridge. They both recommended that a bridge, constructed or pre-cast concrete slabs, be built instead of the proposed wooden bridge, and estimated the cost thereof to be \$12,500, less a credit of \$600 which could be obtained for steel on hand from the old Hardee bridge. Commissioner Mayes suggested that minimum repairs be made on the present bridge, and that the construction of the new concrete bridge be held over until an adequate budget item could be included in the next budget. Commissioner Hartnett suggested that a study be made concerning the desirability of altering the direction of the roadway of such bridge. The matter was referred to the City Manager, to be discussed with Engineer M.B. Garris.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 "KNOWN AS THE ZONING ORDINANCE", AS AMENDED, AS TO ZONING REQUIREMENTS OF LOTS 2 TO 5 INCLUSIVE, BLOCK 5, RIVIERA WATERWAYS SECTION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING SECTION 14 (1) (a) OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS AMENDED CONCERNING DISTANCE REQUIREMENTS BETWEEN GASOLINE AND OIL FILLING STATIONS; DELETING THAT PORTION OF SAID SECTION PROVIDING THAT DISTANCE REQUIREMENTS SHALL NOT BE APPLICABLE SOUTH OF THE FLORIDA EAST COAST RAILWAY RIGHT OF WAY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading

was made by Commissioner Mayes, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 640

AN ORDINANCE OF THE CITY OF CORAL GABLES VACATING AND DISCONTINUING THE EASTERLY 136.06 FEET MORE OR LESS OF THAT CERTAIN ALLEY RUNNING EAST AND WEST THROUGH BLOCK 1 OF BILTMORE SECTION OF CORAL GABLES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 28 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

which was read by title and adopted on first reading February 21, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 640.

ORDINANCE NO. 641

AN ORDINANCE APPROVING A PLAT ENTITLED "RESUBDIVISION OF PORTIONS OF BLOCKS 38 AND 41, CORAL GABLES BILTMORE ADDITION", AND ACCEPTING AND CONFIRMING DEDICATION OF AVENUES AND STREET CONTAINED THEREIN; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 641.

RESOLUTION NO. 3430

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than

14 per cent of alcohol by weight for consumption on the premises heretofore issued to George Seese d/b/a Seese's Restaurant, 3800 S.W. 8th Street, to George Alexandra d/b/a Winnie's Restaurant, at the same address, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Mayes; Mayor Phillips. "Nays" - None. Commissioner Hendrick not voting.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips

MAYOR

W. Keith Phillips

ATTEST:

E. B. Poorman

CITY CLERK

E. B. Poorman

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
MARCH 21, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 O'clock P.M., Tuesday March 21, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was turned over to public hearings upon Local Improvements A-7, H-60, H-70, H-71, H-64, H-67, H-73, H-74, H-75 and H-76.

RESOLUTION NO. 3431

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT A-7.

WHEREAS, by Resolution No. 3315 passed and adopted September 20, 1949, the Commission ordered Local Improvement A-7, and by Resolution No. 3339 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the alley paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Brooks Paving Co. in Local Improvement A-7 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3432

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT H-60.

WHEREAS, by Resolution No. 3052 passed and adopted June 15, 1948, the Commission ordered Local Improvement H-60, and by Resolution No. 3120 passed and adopted October 12, 1948, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in local Improvement H-60 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3433

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-70.

WHEREAS, by Resolution No. 3333 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-70, and by Resolution No. 3340 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

- 1. That the paving work done by Asphalt Paving Co. in Local Improvement H-70, is hereby accepted.
- 2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call; "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3434

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-71.

WHEREAS, by Resolution No. 3377 passed and adopted December 6, 1949, the Commission ordered Local Improvement H-71, and by Resolution No. 3385 passed and adopted December 20, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

- 1. That the paving work done by W. T. Price Dredging Corp. in Local Improvement H-71 is hereby accepted.
- 2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

AEA259

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3435

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-64

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-64, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-64, be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$3,898.61	Apportioned to abutting
Apportioned to City	<u>641.76</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.9478
abutting property	\$3,256.85	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 1, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from May 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-64 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$641.76 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;

- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3436

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-67.

WHEREAS the Commission of the City of Coral Gables, met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-67, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-67, be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.
2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$12,263.05	Apportioned to abutting
Apportioned to City	<u>3,128.91</u>	lots and parcels, per
Apportioned to		lineal front foot: \$1.169
abutting property	\$ 9,134.14	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 1, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 per cent per annum from May 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-67 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$3,128.91 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayws. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3437

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-73.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3426 passed and adopted March 7, 1950 and ordering Local Improvement H-73, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were sustained;

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

That Resolution No. 3426 passed and adopted March 7, 1950 and ordering Local Improvement H-72, be and the same is hereby confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3438

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-74.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3427 passed and adopted March 7, 1950 and ordering Local Improvement H-74, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were made;

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

That Resolution No. 3427 passed and adopted March 7, 1950 and ordering Local Improvement H-74, be and the same hereby is confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3439

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-75.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3428 passed and adopted March 7, 1950 and ordering Local Improvement H-75, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were sustained;

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

That Resolution No. 3428 passed and adopted March 7, 1950 and ordering Local Improvement H-75, be and the same is hereby confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3440

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING LOCAL IMPROVEMENT H-76.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., March 21, 1950, pursuant to legal notice duly published in accordance with the provisions of the charter of the city to hear all objections presented by interested parties to the confirmation of Resolution No. 3429 passed and adopted March 7, 1950 and ordering Local Improvement H-76, and to the plans, specifications and estimates of cost of such improvement, and no objections to such improvement were made;

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

That Resolution No. 3429 passed and adopted March 7, 1950 and ordering Local Improvement H-76, be and the same hereby is confirmed and the cost of such improvement, except that abutting city owned property, shall be assessed against all lots and lands adjoining and abutting upon such improvement.

AEA 259

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3441

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 13, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. To change the facing for Lots 13 to 16 inclusive, Block 124, and Lot 13 and north 15 feet of Lot 14, Block 122, Riviera Section, to north and south instead of east as now zoned.
2. Permit the construction of a glass greenhouse to be used in the culture of orchid plants per sketch submitted on lots 10 and 11, Block 42, Country Club Section 3.
3. Permit construction of a building on Lots 30 to 33 inclusive, Block 6, Crafts Section, containing 690 cubic feet per front foot.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The request for an exception to permit the erection of a Howard Johnson Restaurant on Lots 14 to 16 inclusive, Block 39, Section L, having (1) metal colored shingles to conform with Howard Johnson's design, and (2) 400 cubic feet per front foot content, was discussed by the Commission. The Zoning Board of Appeals recommended the allowance of an exception permitting 400 cubic feet per front foot, but disapproved their request for an exception to permit use of metal colored shingles. Commissioner Mayes moved, and Commissioner Healy seconded the motion, that an exception be allowed to permit the construction of a building containing 400 cubic feet per front foot. Commissioner Hartnett moved, and Commissioner Hendrick seconded the motion, that the motion be tabled until the Commission could more fully discuss the matter with the Zoning Board of Appeals. The motion to table was passed by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick; and Mayor Phillips. "Nays" - Commissioners Healy and Mayes.

Representatives of several firms which have submitted propositions to act as fiscal agents for the city in financing the capital improvement program, were present to discuss their propositions.

Mr. Hagood Clarke Jr. and Mr. William Atwill of Atwill and Co. and Associates, explained their written offer to act as fiscal agent for 3 years for a fee of 1-3/8 percent of par value of all securities sold during that period, the agent bearing all issuance and legal expenses connected with the issuance of securities, and reserving the right to bid upon the securities issued; in the alternative the firm offered to act for a fee of \$1000 per month for 3 years, plus the amount of expenses incurred (to a maximum of one-fourth of one percent of the par value of all securities sold), providing that if the city did not proceed with the program the monthly fee paid is to be returned to the city and the firm is to be reimbursed for actual expenses incurred, to a maximum of \$7500. Mr. Clarke advised that Goldman Sachs & Co. of New York (a representative of the latter firm having taken part in previous discussions of the Atwill and Co. offer) would be associated with Atwill and Co. in this respect if the Commission so desired.

Mr. A. S. Hill of J. C. Bradford and Co. discussed this firm's written offer to act as fiscal agent for the city for a term of 3 years (excluding any period of litigation) for a fee of 95/100 of 1 percent of securities sold, the agent to bear all legal expense and expense of litigation, the latter expense being limited to \$1000. Mr. Hill advised that his firm is willing to raise the \$1000 limitation of litigation expense on some mutually agreed higher figure. No fee was to be paid if no securities were issued. In the discussion he advised that a guaranteed bid by his firm in advance of public sale, if requested by the city, would be made for a further fee to be mutually agreed upon by the city and his firm at that time.

Mr. Boice Miller of B. J. Van Ingen Co., Mr. C. T. McCreedy representing C. T. McCreedy and Co., and Mr. A. B. Morrison were present and declared that they desired to make no further statement concerning the proposition submitted by them to city. The joint proposition of these individuals and firms offered a general fiscal agency for a period of 3 years, the agents to bear all legal and issuance expenses at a fee of 2-1/4 percent of the par value of all securities sold during that period (excluding the amount of securities issued to construct the proposed new bus terminal, which this offer covers at no cost to the city), or, in the alternative and upon the same conditions, at a fee of

1 percent of the par value of all securities issued and a fee of 1-1/4 percent for their present agreement to submit a guaranteed bid when requested. In the event no securities were issued, no fees would be paid and the specific right was reserved to the city to reject all bids offered.

It was noted that all parties, and their written propositions, appeared to take into account the operating needs of the city and declared that any capital financing plan presented must leave the city adequate financing for general operations. Mr. Calrke pointed out that in his opinion the success of a financing program would probably depend upon the acquisition by the city of the water distribution system, and the use of water revenues thus made available.

At the conclusion of the presentations, Commissioner Hartnett noted that an appointment of a fiscal agent by the city actually involved the hiring of professional services, and that the propositions offered could not be compared as bids based upon identical standards. He pointed out that the Commission must decide which firms or groups of firms will perform the best service for the city.

The Commission took the matter under advisement.

Mr. O. B. Sutton appeared before the Commission and requested that the Commission authorize the sale to him of certain City of Coral Gables Tax Sale Certificates held and owned by the city upon Lots 9, 10, 19 and 20, Block 104, Country Club 5, at face value without statutory interest. No action was taken.

Mr. Walter Butler of Walter Butler Co. presented to the Commission a set of plans and specifications for the proposed bus terminal building, which were referred to the City Manager for study and recommendations.

RESOLUTION NO. 3442

A RESOLUTION CALLING A SPECIAL MEETING
OF THE CITY COMMISSION FOR SATURDAY,
MARCH 25, 1950, AT 9:30 A.M.

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

That a special meeting of the Commission of the City of Coral Gables is hereby called and set for Saturday, March 25, 1950, at 9:30 A.M., for the purpose of considering the retention by the city of fiscal agents in connection with the proposed capital improvement program, and for such other business as may come before the meeting.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager called the attention of the Commission to the fact that Mr. James J. McFarlin was operating a fuel oil storage and sales business on Lots 34 to 39 inclusive, Block 15, Industrial Section. He stated that over the past year several attempts had been made by city officials to prevail upon Mr. McFarlin to move these oil tanks and equipment off of the property. He further advised that he could find no formal record approving the installation of this equipment at that location, but understood that about 15 years ago temporary permission was given for such use. He declared that the present use of this property constituted a nuisance, a detriment and fire hazard to surrounding property. The matter was referred to the City Attorney for appropriate action.

The City Manager advised that he had been in contact with Chairman Hugh Peters of the Dade County Board of Commissioners, concerning the proposal made to designate LeJeune Road as an arterial highway cutoff between U. S. Route 1 north and south of Miami. He stated that Commissioner Peters assured him that no action would be taken in that respect until after a traffic survey and study was made, and that the County Commission would consult with the City Commission before taking any action.

Commissioner Mayes suggested that a joint meeting be held between the Commission, Zoning Board and the Board of Architects to again discuss common problems. The Commission agreed that such meeting would be beneficial, and directed the City Manager to arrange such meeting at a time convenient to the members of the several boards.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" BY ADDING TO SECTION 14 (1) THEREOF SUBPARAGRAPH (d) TO PROHIBIT THE OPERATION OF SELF-SERVICE LAUNDRIES, AS HEREIN DEFINED, EXCEPT ON PREMISES ZONED AS INDUSTRIAL; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 642

AN ORDINANCE AMENDING SECTION 14 (1) (a) OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS AMENDED, CONCERNING DISTANCE REQUIREMENTS BETWEEN GASOLINE AND OIL FILLING STATIONS; DELETING THAT PORTION OF SAID SECTION PROVIDING THAT DISTANCE REQUIREMENTS SHALL NOT BE APPLICABLE SOUTH OF FLORIDA EAST COAST RAILWAY RIGHT OF WAY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading March 7, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 642.

ORDINANCE NO. 643

AN ORDINANCE AMENDING ORDINANCE NO. 271,
KNOWN AS THE "ZONING ORDINANCE" AS AMENDED,
AS TO ZONING REQUIREMENTS OF LOTS 2 TO 5
INCLUSIVE, BLOCK 5, RIVIERA WATERWAYS
SECTION; AND REPEALING ALL ORDINANCES OR
PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading March 7, 1950, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 643.

The City Clerk stated that he had been requested by members of the First Church of Christ Scientist to bring to the attention of the Commission the fact that postal authorities were requiring the church to use 410 "Biltmore Way" as its address. The Clerk stated that the street south of Merrick Park was not named on the plat of Biltmore Section, but that it appeared a normal and logical extension of Avenue Andalusia and that street signs placed by the city on such street were in the name of Avenue Andalusia. The church requested that this street between Biltmore Way and LeJeune be formally named Avenue Andalusia to permit the use of that street name as an address.

RESOLUTION NO. 3443

A RESOLUTION NAMING CERTAIN DESIGNATED
STREET IN CORAL GABLES AS AVENUE ANDALUSIA.

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

That that certain unnamed street shown upon the plat of Biltmore Section as now recorded in Book 28 of plats, page 22, of the Public Records of Dade County, Florida, lying immediately south of Block 5, Biltmore Section, and between the westerly line of LeJeune Road and the westerly line of Lot 17, Block 6 of said Biltmore Section extended northward, be and the same hereby is named and designated as Avenue Andalusia.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Attorney advised that a judgment of ouster had been entered in the Circuit Court of Dade County, on March 17, 1950 in a suit brought by Mr. Morgan S. McCormick against the city, ousting from the city limits approximately 41 acres of land in the Southeast Quarter of the Southeast Quarter of Section 13, Township 55 South, Range 40 East. The Commission authorized the City Attorney to appeal the decision to the Supreme Court of the State of Florida.

Commissioner Hendrick suggested that consideration be given to furnishing retired members of the Police and Fire Departments with a miniature badge showing the years of service with the departments. The Commission approved this idea and referred the matter to the City Manager.

RESOLUTION NO. 3444

A RESOLUTION APPOINTING AN ASSOCIATE MUNICIPAL JUDGE.

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

That William L. Pallot be and he hereby is appointed Associate Municipal Judge of the Municipal Court of the City of Coral Gables for a term expiring April 10, 1951, the date of the next general election of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Hendrick, and Mayor Phillips. "Nays" - Commissioners Healy and Mayes.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:

E. B. Poorman
CITY CLERK

E. B. Poorman

W. Keith Phillips
MAYOR

W. Keith Phillips

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
MARCH 25, 1950

The Commission of the City of Coral Gables convened in special session at the City Hall at 9:30 o'clock A. M., Saturday, March 25, 1950, pursuant to call of such meeting by Resolution No. 3442 passed and adopted at the regular meeting March 21, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Director of Public Safety Kimbrough and Sergeant Crittenden of the Police Department discussed with the Commission the advisability of replacing the present Comco police radio equipment with Motorola equipment, which they stated would require the expenditure of some \$4800 over and above present appropriation balances and commitments and after sale of the present equipment. They advised of the difficulties being encountered in transmission and reception of messages with the Comco equipment presently installed. The Commission suggested that replacement of present mobile units, one unit at a time, be considered and further suggested that the department confer with the manufacturer of the Comco equipment to ascertain if improved equipment was available to satisfactorily eliminate the present deficiencies at a lower cost than would be involved in complete replacement of the radio system.

RESOLUTION NO. 3445

A RESOLUTION APPROPRIATING \$500 TO UNDERWRITE THE EXPENSES OF THE CORAL GABLES SILVER ANNIVERSARY CELEBRATION FOR THE PURPOSE OF PUBLICIZING THE CITY.

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

That \$500 be and the same hereby is appropriated from the General Contingent Fund of the city to underwrite the expense of the celebration of the silver anniversary of the City of Coral Gables to be held during the week of April 23 to 29, 1950, for the purpose of publicizing the city; that the Director of Finance is hereby authorized and directed to pay the said amount of \$500, or so much thereof as may be necessary, to the Coral Gables Chamber of Commerce on presentation of a statement of expenses incurred.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3446

A RESOLUTION APPROPRIATING \$1000 FOR THE RELEASING OF RESTRICTIONS UPON CITY PROPERTY.

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

That the sum of \$1000 be and the same is hereby appropriated from the General Contingent Fund of the city to pay Mrs. Eunice Merrick and/or Garalco Corporation for a release of the restriction or covenant limiting the use of the city owned portion of Block 36A, Riviera Section, to "park, parkway or landscaped parcel of ground".

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The matter of the retention of fiscal agents by the city was taken under consideration.

Two supplemental letters from J. C. Bradford and Co. were presented:

(1) amending that firm's offer concerning the payment of validation and litigation expenses so that the limitation of such cost to the amount of \$1000 will mean \$1000 for each separate issue of securities which may be issued and sold by the city; and (2) amending that firm's offer to bid for such securities to provide that the firm would, at the request of the city, make a guaranteed bid for all securities issued, prior to the public sale of such securities, for an additional fee of 1 percent of the par value of securities sold. The amendments above make the total fee requested by J. C. Bradford for a fiscal agency and for a guaranteed bid if requested, 1.95 percent of the par value of all securities issued.

The alternative fee arrangements offered jointly by B. J. Van Ingen and Co. Inc., McCreedy and Co. Inc., and A. B. Morrison and Co., to act as general fiscal agents for either (1) a fee of 2-1/4 percent of the par value of all securities sold (excepting the bus terminal issue) and including an agreement to submit a guaranteed bid for all securities prior to the public sale thereof at no further fee or charge, or (2) at a fee of 1%, as above, for the fiscal agency, and an additional fee of 1-1/4 percent for their agreement to make a guaranteed bid prior to public sale of the securities, was then discussed at length.

The City Manager, City Attorney and the Director of Finance recommended the retention of the Van Ingen group on the ground that they were in a position to provide the best service for the city; the City Manager further recommended that the fee be not more than 2 percent.

Commissioner Hartnett moved that B. J. Van Ingen and Co. Inc., McCreedy and Co. Inc., and A. B. Morrison and Co., be retained as fiscal agents for the city in accordance with their offer and at a fee of 1 percent for the fiscal agency and 1-1/4 percent for their present agreement to make a guaranteed bid prior to the public sale of such securities, as set out in the second alter-

native above. The motion failed for want of a second.

The following resolution was then presented and read:

RESOLUTION NO. 3447

A RESOLUTION AUTHORIZING EXECUTION OF
A CONTRACT APPOINTING FISCAL AGENTS
FOR THE CITY OF CORAL GABLES.

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

That proposition heretofore presented to the city by B. J. Van Ingen and Co. Inc., McCreedy and Co. Inc. and A. B. Morrison and Co., to act as fiscal agents for the city upon the terms and conditions hereafter set out is hereby accepted, and the Mayor and City Clerk are hereby authorized and directed to execute the acceptance of such agreement on behalf of the city, in form and substance as follows:

March 7, 1950

Hon. Mayor and City Commission,
Coral Gables, Florida

Gentlemen:

As the governing body of our City you have under consideration the construction and financing of extensive improvements in order to keep pace with the growth of the City and maintain its position as an outstanding community. Specifically, the City will soon be required to install a system of sanitary and storm sewers, a bus terminal, off street parking, and to provide paving and parkways in certain sections and a new fire station in the Riviera Section. To carry those projects through to completion in a satisfactory manner, and others as they are needed, demands the setting up of a long range, over-all program that is sound and workable, under which the City can market its securities successfully.

The complexity of these problems is much greater than is usually encountered and requires far more time, study, and research. The question of how best to finance the sanitary sewer system, for example, is in itself a major problem. The question of proper service charges and the method of levying; the imposition of special assessments and in what amounts; and the proportion to be borne by the City and benefitted property required the compilation of a mass of data and intensive study and comparison. Similarly with the storm sewers, whose financing in some respects is more difficult than that of the sanitary sewers. Certain revenues are now available to the city and others possibly will be. These must be properly apportioned among the various projects. The cost of parkways and paving and the new fire station must be considered. Method of financing off street parking requires much study. The final over-all effect on operating revenues must be carefully considered. Not only are the economic questions complicated, but there are difficult financial and legal questions involved. It may be found necessary to secure special legislation in order to carry out the proposed projects in the most economical and satisfactory manner.

The formulating of such a program requires expert knowledge and long experience in the municipal field and an intimate knowledge of this city's financial setup in all of which the undersigned represent themselves to be fully qualified. We therefore offer the City the following proposal to act as its financial advisors:

As such advisors we will make a careful analysis in detail of the City's needs; will recommend the relative order in which we believe these improvements should be

installed; will make a thorough study of all sources of revenue now or potentially available to the City to service any bond or certificate issues; will formulate a program in order to secure the most advantageous market for the securities; will set up schedules for such issues and finally will agree to submit to the City a legally acceptable bid for the securities proposed to be issued, providing the City will follow the recommendations we make.

We are of the opinion that we can develop a method of financing that will not hamper the City by reason of the restrictions in the provisions of the resolution governing the general obligation bonds now outstanding. As far as practicable and feasible we will eliminate any direct tax burden on the City at large and make benefitted property bear the burden through assessments for benefits, service charges, or in some other legal manner. In certain phases expert legal advice as to procedure must be followed and this legal advice we will furnish at our own expense, including any special legislation which may be found necessary or desirable. At all times we will keep the City officials fully informed as to our progress and confer freely with them or any committee they select, and be governed as far as possible by their ideas. In brief, we propose to submit to the City an over-all workable plan complete in all essential details, including schedule of assessments and sewer charges to be levied, which will enable it to carry out in an orderly manner necessary major improvements, and issue and sell its securities to the best advantage. We will furnish blank bonds or certificates ready for signature, the approving opinion of nationally known bond attorneys, pay for necessary newspaper publications and all other expenses of validation excepting the fees of the City Attorney. Since all securities will be sold at public sale, we will furnish full financial information for prospective bidders and pay costs of notice of public sale both locally and nationally.

In order to obtain an accurate over-all picture it is necessary to include all presently contemplated projects in our study. The method of financing the bus terminal has, we understand, been largely decided. Further, paving and the parkways program, and erection of the new fire station may possibly be financed through a pay-as-you-go method. As financial advisors, however, we will, if you so desire, assist without charge in setting up the Bus Terminal issue, it being understood in the case of this issue only, that the City is to pay all expenses such as attorney's fees, preparation of blank certificates, advertising, validation proceedings and the like.

The City agrees to provide us, as financial advisors, with all pertinent financial data, reports of engineers and architects and co-operate in all respects in the development of the program. To compensate us for expenses incurred and to be incurred and for services rendered, and for our agreement to bid, the City will pay us a fee of 2 $\frac{1}{2}$ % of the par amount of all securities issued and sold, except the Bus Terminal issue. If the City so requests we will submit prior to the awarding of any construction contract, a guarantee bid good for 90 days for the financing of such project at no further fee or charge, providing the city follows the recommendations we make. If the City does not issue and sell any securities we will not be entitled to any compensation or reimbursement for expenses or services of for our agreement to bid. The City shall have the right at time of public sale to reject any and all bids. The above fee will be included as a part of the cost of the particular project and will be paid to us only after the City receives the proceeds from the sale of the various issues.

Since the program proposed will probably require several years for completion, our proposal is based on our having an agreement to act as financial advisors extending over a period of three years from the date the City Commission

accepts our proposal.

The acceptance of this proposal by proper resolution shall constitute a contract between the City and the undersigned.

Respectfully submitted,

B. J. VAN INGEN & CO. INC.
BY: (s) F. Boice Miller

A. B. MORRISON & Co.
BY: (s) A. B. Morrison

MCCREEDY & COMPANY INC.
BY: (s) C. T. McCreedy

ACCEPTED THIS _____ DAY OF _____, 1950
CITY OF CORAL GABLES, FLORIDA
BY: _____

Mayor
ATTEST (Seal)

City Clerk
APPROVED AS TO FORM

City Attorney

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
Mayor
W. Keith Phillips

ATTEST:

E. B. Poorman

City Clerk
E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
APRIL 4, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 4, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meetings of March 7 and March 21, 1950 were approved as read.

The meeting was turned over to public hearings upon Local Improvements A-7 A-8, A-9, H-60, H-70, H-71, H-65, H-66, H-68 and H-69.

RESOLUTION NO. 3448

A RESOLUTION ACCEPTING THE BID OF HALL PAVING COMPANY FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT A-8, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of alley designated as Local Improvement A-8, and bids therefor were received as follows:

<u>Name</u>	<u>Price Per Square Yard</u>
Hall Paving Co.	\$.63
W. T. Price Dredging Corp.	.64
Weekley Paving Co.	.68
Troup Bros. Inc.	.77
Brooks Paving Co.	.84
L. C. Morris	.84
McFarlin Construction Co.	.86
Belcher Oil Co.	.88

AND WHEREAS, the bid of Hall Paving Co. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Hall Paving Co. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Hall Paving Co. for work authorized under Resolution No. 3414, passed and adopted February 21, 1950, and designated as Local Improvement A-8, based upon the above bid and subject to the conditions and provisions of the charter of the City.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

4-4-50

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RESOLUTION NO. 3449

A RESOLUTION ACCEPTING THE BID OF HALL PAVING COMPANY FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT A-9, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of alley designated as Local Improvement A-9, and bids therefor were received as follows:

Name	Price Per Square Yard
Hall Paving Co.	\$.65
W.T. Price Dredging Corp.	.65
Weekley Paving Co.	.68
Brooks Paving Co.	.84
Belcher Oil Co.	.84
L.C. Morris	.84
McFarlin Construction Co.	.86
Troup Bros. Inc.	.87

AND WHEREAS, the bid of Hall Paving Co. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Hall Paving Co. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Hall Paving Co. for work authorized under Resolution No. 3415, passed and adopted February 21, 1950, and designated as Local Improvement A-9, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3450

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-60.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 4, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-60, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-60 be and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that

each of said lots and parcels is specially benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$1,345.33	Apportioned to abutting
Apportioned to City	<u>267.09</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.9061
abutting property	\$1,078.24	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 15, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 15, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from May 15, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-60 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$267.09 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3451

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT A-7.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 4, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement A-7, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement A-7 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specially benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections and for paving abutting city owned property has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$8,927.39	Apportioned to abutting
Apportioned to City	<u>1,713.10</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.8842
abutting property	\$7,214.29	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 15, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the firstday of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 15, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from May 15, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement A-7 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$1,713.10 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" -

None.

RESOLUTION NO. 3452

A RESOLUTION CONFIRMING THE PRELIMINARY
ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-70.

WHEREAS the Commission of the City of Coral Gables met at 8 O'clock P.M., April 4, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-70, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-70 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specially benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections and for paving abutting city owned property has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$19,223.39	Apportioned to abutting
Apportioned to City	<u>6,482.52</u>	lots and parcels, per
Apportioned to		lineal front foot: \$1.082
abutting property	\$12,740.87	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 15, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 15, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from May 15, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-70 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$6,482.52 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property,
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;

- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3453

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-71.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 4, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-71, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for local Improvement H-71 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specially benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$1,181.06	Apportioned to abutting
Apportioned to City	<u>224.36</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.8587
abutting property	\$ 956.70	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable May 15, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before May 15, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from May 15, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-71 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$224.36 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement district;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3454

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT H-65.

WHEREAS, by Resolution No. 3328 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-65, and by Resolution No. 3345 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Asphalt Paving Co. in Local Improvement H-65 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3455

A RESOLUTION ACCEPTING CONSTRUCTION WORK
IN LOCAL IMPROVEMENT H-66.

WHEREAS, by Resolution No. 3329 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-66, and by Resolution No. 3344 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Asphalt Paving Co. in Local Improvement H-66 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3456

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-68.

WHEREAS, by Resolution No. 3331 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-68, and by Resolution No. 3342 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Asphalt Paving Co. in Local Improvement H-68 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3457

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-69.

WHEREAS, by Resolution No. 3332 passed and adopted October 4, 1949, the Commission ordered Local Improvement H-69, and by Resolution No. 3341 passed and adopted October 18, 1949, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Asphalt Paving Co. in Local Improvement H-69 is hereby accepted.

2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:
 "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
 "Nays" - None.

Chairman George Fink of the Board of Supervising Architects discussed with the Commission certain suggested changes in the proposed amendment to the Zoning Ordinance concerning the establishment and procedure of the Zoning Board of Appeals and Board of Supervising Architects.

Mr. Allman and Mr. Courtois appeared to discuss with the Commission the proposed construction of a Howard Johnson Restaurant on Lots 14 to 16 inclusive, Block 39, Section I.

Mr. Mitchell H. Tyler appeared before the Commission concerning his appeal from the decision of the Zoning Board of Appeals, made at its meeting March 13, 1950, disapproving a request to erect an upright neon sign on the front of the building located at 1526 Ponce de Leon Boulevard. Upon motion of Commissioner Mayes, seconded by Commissioner Hartnett and unanimously adopted, the appeal was tabled until the Commission could consider the advisability of amending the ordinance restrictions against upright signs.

Commissioner Mayes declared that he felt that equitable considerations required an amendment to the sign ordinance to eliminate any distinction between upright signs made of masonry material and being an integral part of the building, and upright signs of other materials, where such signs were determined to be structurally safe. Commissioner Hartnett declared that he was against permitting upright signs on buildings regardless of the material of which they were constructed. Commissioner Healy suggested that the Commission and the Zoning and Architects' boards give serious consideration to the entire sign ordinance, particularly with reference to upright signs, painted signs on awning valances, and overhanging signs. The Commission decided to hold a joint conference between representatives of the Zoning Board and Board of Architects, and requested that the City Manager arrange such meeting for Wednesday, April 12th.

RESOLUTION NO. 3458

A RESOLUTION AUTHORIZING EXCAVATION OF
CANAL ADJACENT TO LOTS 27 TO 36 INCLUSIVE,
BLOCK 98, COUNTRY CLUB SECTION 5.

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

That permission is hereby granted C. A. O'Neill
to clear Lots 27 to 36 inclusive, Block 98, Country Club 5,
and to excavate the canal adjoining such lots to the
platted lot lines, upon the following terms and conditions;

1. Excavation to be done in such manner as to
prevent damage to any other property.
2. No explosives to be used or blasting done with-
out prior approval of the City Manager.
3. Work to be done at reasonable hours as established
by the City Manager.
4. Throughout the length of the excavation above
authorized the canal shall be excavated to a depth of not
less than minus 8 feet, mean low water, U.S.E.D. Bay datum.
5. Excavation shall be completed and site cleaned
up to the satisfaction of the City Manager on or before the
expiration of 6 months from the date hereof, and in default
thereof the city shall have the right at the end of such
period to enter upon the premises and remove any spoil remain-
ing thereon and dispose of same as it may see fit.
6. That permission of the owners of all lots
described above for the clearing and excavation shall
be obtained by C. A. O'Neill.

Motion for its adoption was made by Commissioner Mayes, seconded by
Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas"
- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" -
None.

The City Manager introduced to the Commission Mr. John D. Eckhoff,
Public Health Sanitarian for the Dade County Health Unit, assigned to the Coral
Gables area. He commended Mr. Eckhoff for the results of his work since his
assignment here, and for his excellent cooperation with the City of Coral Gables.
Mr. Eckhoff explained to the Commission the policies and program of the Dade
County Health Unit, stating that in the field of public sanitation the program
emphasized education, and relied upon prosecutive action only as a last resort
where compliance with the law could not be obtained otherwise. He said that there
were few problems of environmental sanitation in the City of Coral Gables. The
Commission expressed its appreciation for the work of the Dade County Health
unit, and of Mr. Eckhoff, in the city of Coral Gables.

RESOLUTION NO. 3459

A RESOLUTION REQUESTING THE BOARD OF
COUNTY COMMISSIONERS TO CONSTRUCT A
PERMANENT TYPE BRIDGE ON BIRD ROAD OVER
THE CORAL GABLES WATERWAY.

WHEREAS, for many years the County of Dade, by agreement with the City of Coral Gables, has maintained Bird Road throughout the city limits; and

WHEREAS, an inspection of the bridge over the Coral Gables Waterway at Bird Road, between Granada Boulevard and University Drive, has been made by qualified representatives of the City of Coral Gables and it has been found that although the bridge is presently safe for the traffic, it is now in a very bad state of deterioration, and if major repairs are not immediately performed such bridge will become unsafe for traffic; and

WHEREAS, this condition has been reported to the County Engineer of the County of Dade, who has stated that he agrees, in principle, with the findings of the City representatives and that he hopes to include sufficient funds in the forthcoming budget to construct a permanent type bridge capable of providing safe passage over the Coral Gables Waterway; and

WHEREAS, there now exists within a 500-foot radius of such bridge residences valued at more than \$750,000, and the residents occupying this property are subjected continually to loud noises throughout the day and night because of the excessive movement and rattling of the bridge decking caused by traffic passing over the bridge, and such condition might soon result in the necessity of either the City of Coral Gables or the County of Dade Condemning this bridge because of an unsafe condition; and

WHEREAS, large sums of money are paid each year by the citizens of Coral Gables to support all of the functions of the County government, and that because of such conditions, it would appear practicable to immediately provide for a permanent type of bridge on Bird Road at said location to replace the present wood structure;

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

That this Commission respectfully requests the Board of County Commissioners of Dade County to provide for the construction of a permanent type bridge on Bird Road over the Coral Gables Waterway without delay.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager noted the receipt of a letter from Mrs. T. C. Buehler, President of the Metropolitan Miami Flower show, commending the efficient work of the administrative personnel of the City Parks Department.

The City Manager presented a letter from the Board of Directors of the Retail Merchants Division of the Coral Gables Chamber of Commerce stating that that board recommended a revision of the sign ordinance to permit the painting of signs on awning valances, suggesting that the lettering thereon be limited to the firm name and street number. Commissioner Hartnett stated that it was not certain that the entire membership of the Merchants Division was in accord with this recommendation. It was agreed that the matter should be discussed in the conference already arranged for Wednesday, April 12th.

The City Manager presented to the Commission copies of the report of

the special committee on off-street parking, signed by Chairman E. L. Semple and all members of the committee. The report was received for study.

Mayor Phillips advised that he had heard that the Riviera Country Club was considering purchase of lots adjoining its club property and contemplated the use of such lots for parking of vehicles. The City Attorney advised that in his opinion the zoning ordinance would prohibit the use of lots in residential areas for vehicular parking.

The Commission then had a general discussion of the use of lots adjoining business or apartment sites as parking sites for customers, employees, or residents of the buildings. The Commission was of the opinion that further study should be given this problem before any policy was established.

The City Manager explained that the grade of the parking lot constructed on the northwesterly end of Block 9, Crafts Section, was lower than that of the alley adjoining the lot, and that a curb was needed along the alley line for drainage and traffic control. He declared that the cost of such curbing would be approximately \$355, and that owners of the parking lot had agreed to pay one half of the cost. He was authorized to have such curbing constructed.

The City Engineer advised that the Riviera Sundry Shop on LeJeune Road north of Ponce de Leon Boulevard, had requested that the parkway in front of the store, which is heavily used for parking vehicles, be paved. In this case the owner offered to pay for the material used. The City Manager was authorized to use city forces to pave this parkway, the owner to pay for all material. The City Manager was authorized to make the same arrangements for paving of parkways in similar situations, or to permit the owners to pave such parkways at their expense.

RESOLUTION NO. 3460

A RESOLUTION AUTHORIZING THE PURCHASE OF PINS, BADGES OR OTHER INSIGNIA IN RECOGNITION OF YEARS OF EMPLOYMENT OF CITY EMPLOYEES.

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

That the City Manager is authorized to purchase and distribute suitable pins or badges for retired employees of the City, in recognition of their service to the city; and to purchase and distribute suitable pins or other insignia to recognize the services of current employees who have been employed by the city for periods of over 5 years, such insignia to recognize units of service of 5, 10, 15, 20 and 25 years; and that the cost of such pins, badges or other insignia, not to exceed the sum of \$500, is hereby appropriated from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hendrick, seconded by

Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3461

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting March 27, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on Lots 9 to 13 inclusive, Block 252, Riviera Section, facing north on Avenue Placetas instead of east on Casteneda Street.

2. Permit construction of apartments on Lots 1 and 2, Block 81, Granada Section, with a 5 foot setback on the east lot line adjoining cemetery, and to permit individual entrances for each living unit.

3. Permit construction of residence on Lots 10 (and 11), Block 18, Section D, facing west on San Domingo Street instead of south on Avenue Valencia.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 644

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" BE ADDING TO SECTION 14 (1) THEREOF SUBPARAGRAPH (d) TO PROHIBIT THE OPERATION OF SELF-SERVICE LAUNDRIES, AS HEREIN DEFINED, EXCEPT ON PREMISES ZONED AS INDUSTRIAL; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading March 21, 1950, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 644.

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RESOLUTION NO. 3462

A RESOLUTION AUTHORIZING THE SALE OF TAX SALE CERTIFICATES HELD BY THE CITY.

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

That the Director of Finance is hereby authorized to sell to O. B. Sutton or his nominee the following City of Coral Gables tax sale certificates held by the city against Lots 9, 10, 19 and 20, Block 104, Country Club Section 5,

<u>Year of Sale</u>	<u>Certificate No.</u>		<u>Face amount</u>
1933	3324/25	3334/35	15.16
1939	3456/57	3466/67	15.16
1940	3416/17	3426/27	15.16
1941	2907/08	2911/12	15.16
1942	2944/45	2948/49	15.16
1943	2893/94	2897/98	15.16
1944	2289/90	2294/95	15.16
1945	1343/44	1345/46	15.16

at the full face amount thereof, without statutory interest.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Hendrick; Mayor Phillips. "Nays" - None. Commissioner Mayes not voting.

RESOLUTION NO. 3463

A RESOLUTION DESIGNATING THE CORAL GABLES RIVIERA-TIMES AS THE NEWSPAPER IN WHICH TO PUBLISH NOTICE OF THE 1950 TAX SALE.

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

That the Coral Gables Riviera-Times is hereby designated as the newspaper in which to publish notice of the 1950 tax sale of delinquent general taxes and local improvement liens.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a resolution adopted by Coral Gables Post 98, American Legion, on March 20, 1950, calling upon all city and county governments to declare a holiday on May 2, 1950, the date of the primary elections. The Commission felt that it was not within its power to name such date a legal holiday but expressed its willingness to call upon all people to vote on that day.

The City Clerk called the attention of the Commission to the fact that the city seal as shown upon letterheads of the city differed from the official version as shown on the impression seal in the City Clerk's office. He stated that it had been determined that the city seal was originally drawn by

Mr. Robert Fink of Westchester, N. Y., and that Mr. Denman Fink, his father, had in his possession an original drawing of the version of the city seal that appears on city stationery. He stated that Mr. Robert Fink had been approached concerning selling of such drawing to the city, and that Mr. Fink had asked \$200 for such drawing. On Motion of Commissioner Hartnett, seconded by Commissioner Mayes and unanimously passed, it was directed that Mr. Robert Fink be offered the sum of \$100 for this drawing.

The City Manager stated that two property owners of adjoining land had requested the paving of Michaelangelo Street. The matter was deferred.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

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MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
APRIL 18, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, April 18, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the special meeting of March 25, 1950, and regular meeting of April 14, 1950, were read and approved.

The meeting was turned over to public hearings upon local Improvements H-65, H-66, H-68, H-69, H-73, H-74, H-75 and H-76.

RESOLUTION NO. 3464

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-65.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 18, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-65, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-65 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$7,040.25	Apportioned to abutting
Apportioned to City	<u>1,448.63</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.7211
abutting property	\$5,591.62	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable June 1, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951, and 1952, provided that the owner thereof shall file with the City Manager, on or before June 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from June 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-65 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$1,448.63 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

RESOLUTION NO. 3465

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-66.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 18, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-66, and no objections were voices;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-66 be and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$5,383.60	Apportioned to abutting
Apportioned to City	<u>1,060.67</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.6453
abutting property	\$4,322.93	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable June 1, 1950, except that assess-

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ments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before June 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from June 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-66 as shown above from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$1,060.67 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3466

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-68.

WHEREAS The Commission of the City of Coral Gables met at 8 o'clock P.M., April 18, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-68, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-68 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$1,618.02	Apportioned to abutting
Apportioned to City	<u>278.79</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.6420
abutting property	\$1,339.23	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable June 1, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before June 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from June 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-68 as shown above, from the Trust and Reserve Fund of the city to the current fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$278.79 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3467

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-69.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., April 18, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-69, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-69 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$ 831.41	Apportioned to abutting
Apportioned to City	<u>537.40</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.4927
abutting property	\$ 294.01	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable June 1, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before June 1, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from June 1, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local Improvement H-69 as shown above, from the Trust and Reserve Fund of the city to the Current fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$537.40 shall be repaid in three annual installments without interest at the same times the installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3468

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-73, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of street designated as Local Improvement H-73, and bids therefor were received as follows:

<u>Name</u>	<u>Price Per Square Yard</u>
Troup Bros. Inc.	\$.69
Asphalt Paving Co.	.71
E. E. Collins Construction Co.	.73
McFarlin Construction Co.	.78

AND WHEREAS, the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3426, passed and adopted March 7, 1950, and designated as Local Improvement H-73, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3469

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-74, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of street designated as Local Improvement H-74, and bids therefor were received as follows:

<u>Name</u>	<u>Price Per Square Yard</u>
Troup Bros. Inc.	\$.69
Asphalt Paving Co.	.70
McFarlin Construction Co.	.72
E. E. Collins Construction Co.	.75

AND WHEREAS, the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3427, passed and adopted March 7, 1950, and designated as Local Improvement H-74, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3470

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-75, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of street designated as Local Improvement H-75, and bids therefor were received as follows:

<u>Name</u>	<u>Price Per Square Yard</u>
Troup Bros. Inc.	\$.83
Asphalt Paving Co.	.835
E. E. Collins Construction Co.	.86
McFarlin Construction Co.	.99

AND WHEREAS, the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the City, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3428, passed and adopted March 7, 1950, and designated as Local Improvement H-75, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3471

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR PAVING WORK IN THE CITY OF CORAL GABLES, DESIGNATED AS LOCAL IMPROVEMENT H-76, AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to city charter the City Commission had advertised for bids for paving of street designated as Local Improvement H-76, and bids therefor were received as follows:

Name	Price Per Square Yard
Troup Bros. Inc.	\$.80
Asphalt Paving Co.	.83
E. E. Collins Construction Co.	.83
McFarlin Construction Co.	.87

AND WHEREAS, the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city, and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros. Inc. for work authorized under Resolution No. 3429, passed and adopted March 7, 1950, and designated as Local Improvement H-76, based upon the above bid and subject to the conditions and provisions of the charter of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. E. Edwin Roberts, President of the Kiwanis Club of Coral Gables was present to invite the Mayor and Commissioners to attend the Kiwanis sponsored joint meeting of all civic clubs on April 25 in celebration of the city's twenty-fifth anniversary. The Commission thanked Mr. Roberts for the invitation and express their acceptance.

The meeting was turned over to a public hearing upon the appeal of J. H. Bass from a decision of the Zoning Board of Appeals disapproving a request for an exception to use of Lots 3 and 4, Block 17, Section K, as a parking lot in connection with a commercial building to be built on Lots 45 to 48 inclusive, Block 17, Section K. A petition of 13 owners of property in the vicinity was presented and such owners were also present in person to object to the exception. The principal objections were the allegation that the use of these two lots would lead to further exceptions for commercial use being granted in the block, and that the traffic resulting from the use of these lots as a parking lot would be undesirable. Mr. James McCann of Investors Syndicate, prospective occupant of the building, explained that his company desired to use the two lots to the north of the building site, in addition to parking space on the building site itself, for private parking of the customers of the business. He stated that the company would landscape and screen the lots, and that use of such lots would prevent parking congestion in the streets and parkways of the area. The Commission withheld its decision and referred the matter to the City Attorney for an opinion.

Mr. E. E. Engstrom, 832 Avenue Malaga, appeared to request the city to take some action to abate the nuisance caused by the condition of the Herman house at 848 Avenue Malaga, which has been left open and unoccupied for several years. Mr. Engstrom alleged that the house was very unsightly and that it was a health and fire hazard. The City Manager explained that many attempts had been made over the past several years to locate the owner, but that such attempts had been so far unsuccessful. The City Attorney expressed doubt as to the city's power to take action under the circumstances. The City Attorney was requested to study the matter further in an attempt to find a solution to the problem.

Pursuant to the request of residents in the area as evidenced by a petition presented by Mr. J. Wylly Keck, the following resolution was presented and read;

RESOLUTION NO. 3472

A RESOLUTION AMENDING RESOLUTION NO. 3461

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

That paragraph 3 of Resolution 3461 passed and adopted April 4, 1950, be and the same hereby is amended so that said Section 3 shall read;

"3. Permit construction of residence on Lot 10, Block 18, Section D, facing west on San Domingo Street instead of south on Avenue Valencia."

Motion for its adoption was made by Commissioner Hartnett, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas"

- Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None

Commissioner Hendrick was excused from the meeting at this point.

Mr. H. F. Doughty discussed with the Commission the problem of off-street parking, and suggested the use of the center parkway in Alhambra Circle from LeJeune Road to Ponce de Leon Boulevard for angle parking, to provide spaces for as many as 400 cars at no cost for acquisition of the land. He declared that property owners along this street whom he had contacted appeared to have no objections. The Commission stated that it would consider the suggestion in a formulation of any off-street parking program.

The City Manager presented a letter from Mr. Mallory H. Horton inquiring concerning the construction of a parking elevator building in Coral Gables. He stated that he had clients willing to confer with the city if the city were interested in a parking garage using their elevator system, and that such clients were willing to finance such building if the city were interested. The Commission took no action on this inquiry and declared that it felt such project should be limited to individual promotion.

The City Manager reported that a request had been received from the Ponce High School Band Patrons Association requesting free use of the Venetian Pool and transportation by city buses from Hotel McAllister to the University campus for guests attending the high school band convention in May. The Commission authorized the use of city facilities for this purpose at no cost.

Discussion was then had upon proposed amendments to the sign ordinance of the city. The City Manager presented recommendations made by a committee of the Coral Gables Board of Realtors concerning inspection and sale signs heretofore commonly used in residential sections.

ORDINANCE

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, DEALING WITH SIGNS THEIR ERECTION, INSTALLATION, PAINTING OR ATTACHMENT TO OR ON ANY STRUCTURE WITHIN THE CITY OF CORAL GABLES, MAKING IT AN OFFENSE TO ERECT, INSTALL, ATTACH OR PAINT A SIGN ON ANY STRUCTURE WITHIN THE CITY WITHOUT FIRST SUBMITTING THE DETAILS THEREOF TO THE BOARD OF SUPERVISING ARCHITECTS AND SECURING ITS APPROVAL THEREFOR; PROHIBITING SIGNS OF ANY TYPE BEING PLACED, AFFIXED, PAINTED OR ATTACHED TO ANY PROJECTION FROM ANY WALL OF ANY BUILDING OR STRUCTURE WITHIN THE CITY; PERMITTING SIGNS TO BE PAINTED ON ANY AWNING OR CANVAS CANOPY OR CANVAS MARGIN OR VALANCES OF AWNINGS SUBJECT TO THE SUBMISSION THEREOF OF DETAILS TO THE BOARD OF SUPERVISING ARCHITECTS AND THE SECURING OF ITS APPROVAL THEREFOR; DEALING WITH EXPOSED TUBING AND EXPOSED NEON TUBING SIGNS; DEALING WITH ADVERTISING SIGNS EXPOSED TO VIEW FROM A PUBLIC STREET ON LOTS OR PARCELS OF LAND WHICH BY TERMS OF A DEED, CONTRACT FOR DEED OR ZONING ORDINANCES ARE ZONED FOR RESIDENCE PURPOSES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SEPARABILITY CLAUSE; AND PROVIDING A PENALTY IN CASE OF VIOLATION HEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, and Mayes; Mayor Phillips. "Nays" - None.

The City Manager requested authority to install a 1000 lumen street light at the southwest corner of Salvatierra Drive and Alhambra Circle. The Commission agreed to such installation.

ORDINANCE

AN ORDINANCE AMENDING SECTIONS 24 AND 25 OF ORDINANCE NO. 271, AS AMENDED, PASSED AND ADOPTED FEBRUARY 16, 1937 AND KNOWN AS THE "ZONING ORDINANCE"; PROVIDING FOR THE APPOINTMENT AND TERMS OF OFFICE OF MEMBERS OF THE BOARD OF SUPERVISING ARCHITECTS AND STRUCTURAL ENGINEER; PRESCRIBING THE POWERS AND DUTIES OF THE BOARD OF SUPERVISING ARCHITECTS AND STRUCTURAL ENGINEER, AND THE PROCEDURE BEFORE SUCH BOARD; REQUIRING FILING OF AN APPLICATION FOR A PERMIT AND/OR ISSUANCE OF A PERMIT PRIOR TO COMMENCEMENT OF ANY ERECTION, CONSTRUCTION, ALTERATION OR REPAIR OF BUILDINGS OR SIGNS IN THE CITY, AND THAT THE WORK IN CONNECTION THEREWITH SHALL NOT DEVIATE FROM SUCH PERMIT; REQUIRING FILING OF PLANS AND/OR SPECIFICATIONS WITH APPLICATION FOR HERMITS IN CERTAIN CASES AND THE APPROVAL OF THE BOARD OF SUPERVISING ARCHITECTS AND/OR STRUCTURAL ENGINEER THEREOF IN DESIGNATED CASES; PROVIDING FEES TO BE PAID TO SUPERVISING ARCHITECTS AND THE STRUCTURAL ENGINEER; PROVIDING AN APPEAL FROM DECISION OF THE BOARD OF SUPERVISING ARCHITECTS, STRUCTURAL ENGINEER, OR BUILDING INSPECTOR TO THE ZONING BOARD OF APPEALS; PROVIDING FOR THE APPOINTMENT AND TERMS OF OFFICE OF MEMBERS OF THE ZONING BOARD OF APPEALS; PRESCRIBING POWERS AND DUTIES OF THE ZONING BOARD OF APPEALS AND THE PROCEDURE OF SUCH BOARD IN THE CONDUCT OF ITS BUSINESS; PROVIDING FEES TO BE PAID TO MEMBERS OF THE ZONING BOARD OF APPEALS, PROVIDING AN APPEAL FROM DECISIONS OF THE ZONING BOARD OF APPEALS TO THE CITY COMMISSION; PROVIDING THAT EXCEPTIONS OR VARIATIONS FROM ZONING ORDINANCE MAY BE APPROVED BY CITY COMMISSION BY RESOLUTION; PROVIDING PROCEDURE TO BE FOLLOWED IN CASES OF CERTAIN AMENDMENTS TO THE ZONING ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEPARABILITY OF THE TERMS OF THIS AMENDMENT.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Healy, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3473

A RESOLUTION AUTHORIZING TRANSFER OF TWO RETAIL BEVERAGE STORE LICENSES.

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

1. That the transfer of retail beverage store license permitting sale of alcoholic beverages of not more than 14% of alcohol by weight for consumption on the premises heretofore issued to Marcelino Mendez d/b/a Mendez Varsity Grill, 1500-02 South Dixie Highway, to Edward Longo d/b/a Eddie's Varsity Grill, at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of

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any unfavorable criminal record of the transferee.

2. That the transfer of retail beverage store license permitting sale of alcoholic beverages of not more than 14% of alcohol by weight for consumption on the premises heretofore issued to Claire and Wallace Kirk d/b/a Huddle Bar and Grill, 252 Avenue Alcazar, to William J. Hoofe III, under the same name and at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3474

A RESOLUTION AUTHORIZING ISSUANCE OF
RETAIL BEVERAGE STORE LICENSE.

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

the
That/issuance of a retail beverage store license permitting the sale of alcoholic beverages containing not more than 14% of alcohol by weight for consumption on the premises to Hamburger Circus Inc. d/b/a Hamburger Circus, 318 Coral Way, is hereby authorized and approved on the ground that said business is a bona fide restaurant of a seating capacity of more than 50 persons, subject to compliance with all regulatory ordinances and subject to cancellation upon receipt of any unfavorable criminal record of the officers of the transferee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk advised that Coral Gables Inc. had quitclaimed to the city the reversionary interest in Biltmore Drive between Jeronimo Drive and Blue Road, recently closed by the Commission.

RESOLUTION NO. 3475

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 10, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence on Lot 20 and south 7.5 feet of lot 21, Block 128, Riviera Section, and north 40.5 feet of former right of way of Avenue Marmore between Blocks 128 and 129, having front setback of 27 feet instead of 35 feet as now zoned, subject to owners of property to the north giving a letter stating that they have no objections.

2. Permit construction of residence on south 55.13 feet of Lot 22, and north 69.5 feet of Lot 21, Block 128, Riviera Section, having front setback of 27 feet instead of 35 feet as now zoned, subject to the two owners of property to the north having no objections thereto.

3. Permit construction of building on Lots 21 and 22, Block 9, Industrial Section, containing 650 cubic feet per front foot instead of 750 feet as now zoned, subject to the approval of plans therefore by the Board of Supervising architects.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3476

A RESOLUTION GRANTING AN EXCEPTION TO THE ZONING ORDINANCE.

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

That an exception to the provisions of the Zoning Ordinance is hereby granted and prescribed to permit and require residences constructed upon Lots 5 to 9 inclusive, Block 107, Country Club Section 5, to face west on Jeronimo Drive instead of east on Anderson Road.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING SECTION 7A, SUBSECTION (e) OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS AMENDED; PROVIDING THAT NO BUSINESS FOR THE SALE OF ALCOHOLIC BEVERAGES OR INTOXICATING LIQUORS CONTAINING ALCOHOL OF MORE THAN 14% BY WEIGHT FOR CONSUMPTION ON OR OFF THE PREMISES, AND NO BUSINESS FOR THE SALE OF ALCOHOLIC BEVERAGES CONTAINING ALCOHOL OF NOT MORE THAN 14% BY WEIGHT FOR CONSUMPTION ON THE PREMISES SHALL BE ESTABLISHED OR CONDUCTED WITHIN 300 FEET OF ANY ESTABLISHED CHURCH OR SCHOOL; PRESCRIBING METHOD OF MEASUREMENT OF SAID DISTANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A SEPARABILITY CLAUSE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poofman
CITY CLERK, E. B. Poofman

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MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
MAY 2, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, May 2, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy and Mayes present. Commissioner Hendrick absent.

Minutes of the regular meeting of April 18, 1950 were read and approved.

The meeting was turned over to a public hearing upon Local Improvement H-72.

RESOLUTION NO. 3477

A RESOLUTION ACCEPTING CONSTRUCTION
WORK IN LOCAL IMPROVEMENT H-72.

WHEREAS by Resolution No. 3390 passed and adopted January 17, 1950, the Commission ordered Local Improvement H-72, and by Resolution No. 3397 passed and adopted February 7, 1950 said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-72 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

City Attorney Semple advised that the city some years ago had sold to Iba Realty Corporation certain lots in Block 43, Douglas Section, and that it had been discovered that there was a restriction contained in the deeds by which the city acquired title limiting the use of such property as a park.

ORDINANCE NO. 645

AN ORDINANCE OF THE CITY OF CORAL GABLES
ABANDONING FOR USE AS A PARK, LOT 8 AND
THE WEST 10 FEET OF LOT 9, BLOCK 43 OF
CORAL GABLES DOUGLAS SECTION; AUTHORIZING
EXECUTION OF QUITCLAIM DEED.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Healy, that the requirement of reading on two separate

days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 645.

ORDINANCE NO. 646

AN ORDINANCE VACATING A CERTAIN PORTION
OF AN ALLEY IN BLOCK 35 OF SECTION "K";
DECLARING SAME TO BE AN EMERGENCY MEASURE.

was read by title on first reading. Motion was made by Commissioner Hartnett, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 646.

The City Manager recommended the use of cigarette tax revenue on hand for repairing and re-decking the Granada and Blue Road bridges, for construction of approximately 2825 lineal feet of storm drains, and for oiling and sanding streets in the city.

RESOLUTION NO. 3478

A RESOLUTION APPROPRIATING THE SUM OF
\$1,435 FROM THE CIGARETTE TAX FUND OF
THE CITY FOR REPAIR OF BRIDGES.

WHEREAS the City of Coral Gables, as authorized by the terms of Chapter 26320 Laws of Florida, Acts of 1949, has levied a tax upon the sale, use and distribution of cigarettes within the corporate limits of this city, and has received and has on hand funds in excess of the amount hereinafter appropriated, constituting receipts from such tax; and

WHEREAS the use of such funds by this city for construction, repair or reconditioning of bridges is specifically permitted by Chapter 26320;

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

1. That there is hereby appropriated from funds on hand from the collection of the cigarette tax of this city, levied and imposed by Ordinance No. 626 pursuant to authorization of Chapter 26320 Laws of Florida, Acts of 1949, the sum of not to exceed \$1,435 to Appropriation Account 2545-C133F for the fiscal year ending June 30, 1950, for the specific purpose of repairing bridges over the Coral Gables canal at Blue Road, and at Granada Boulevard between Blue Road and Bird Road, by re-decking the said bridges and by placing a 3 inch asphaltic concrete surface on such new decking.

2. That any portion of said appropriation not used or needed to complete the work herein authorized shall be returned to the cigarette tax fund of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3479

A RESOLUTION APPROPRIATING THE SUM OF \$10,876 FROM THE CIGARETTE TAX FUND OF THE CITY FOR THE CONSTRUCTION OF DRAINS.

WHEREAS the City of Coral Gables, as authorized by the terms of Chapter 26320 Laws of Florida, Acts of 1949, has levied a tax upon the sale, use and distribution of cigarettes within the corporate limits of this city, and has received and has on hand funds in excess of the amount hereinafter appropriated, constituting receipts from such tax; and

WHEREAS the use of such funds by this city for construction of drains is specifically permitted by Chapter 26320;

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

1. That there is hereby appropriated from funds on hand from the collection of the cigarette tax of this city, levied and imposed by Ordinance No. 626 pursuant to authorization of Chapter 26320 Laws of Florida, Acts of 1949, the sum of not to exceed \$10,876 to Appropriation Account 2545-C322C for the fiscal year ending June 30, 1950 for the specific purpose of constructing drains and drainage ditches at the following locations in the city:

	<u>Approximately</u>
3801 Salzedo Street	50 lineal feet
Romano at Ponce de Leon Blvd.	100 " "
100 Block Avenue Oviedo	100 " "
Avenue Palermo at Salzedo St.	125 " "
35 Avenue Veragua	100 " "
1610 Salzedo St.	75 " "
418 Fluvia St.	50 " "
Pizarro St. and Avenue Ortega	100 " "
810 Avenue Algeria	50 " "
LeJeune Road at Avenue Palermo	100 " "
Monterey St. at S.W. 8th St.	100 " "
815 Avenue Ortega	50 " "
640 Avenue Majorca	50 " "
1000 Capri St.	100 " "
Avenue Sevilla at Galiano St.	100 " "
Ponce de Leon Blvd. at Avenue Romano	100 " "

3500 Block Ponce de Leon Blvd	100	Lineal feet
Avila Court at Boabadilla St.	100	" "
Ponce de Leon Blvd. at Campino Ct.	150	" "
University Drive at Avenue Malaga	100	" "
Salzedo St. at Avenue Malaga	125	" "
3925 Riviera Drive, south side	75	" "
6800 Granada Blvd., east side	75	" "
3200 Block Ponce de Leon Blvd.	100	" "
3300 Block Ponce de Leon Blvd.	100	" "
3400 Block Ponce de Leon Blvd.	100	" "
3900 Block Ponce de Leon Blvd.	100	" "
3905 Riviera Drive, south side	50	" "
230 Avenue Calabria	75	" "
5 Avenue Alcantarra at Douglas Rd.	50	" "
536 Avenue Almeria	50	" "
2901 Avenue Palermo and Segovia St.	50	" "
2928 Coconut Grove Drive	75	" "

2. That any portion of said appropriation not used or needed to complete the work herein authorized shall be returned to the cigarette tax fund of the city.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3480

A RESOLUTION APPROPRIATING THE SUM OF \$25,000 FROM THE CIGARETTE TAX FUND OF THE CITY FOR THE REPAIR AND MAINTENANCE OF STREETS.

WHEREAS the City of Coral Gables, as authorized by the terms of Chapter 26320 Laws of Florida, Acts of 1949, has levied a tax upon the sale, use and distribution of cigarettes within the corporate limits of this city, and has received and has on hand funds in excess of the amount hereinafter appropriated, constituting receipts from such tax; and

WHEREAS the use of such funds by this city for repair and maintenance of streets is specifically permitted by Chapter 26320;

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

1. That there is hereby appropriated from funds on hand from the collection of the cigarette tax of this city, levied and imposed by Ordinance No. 626 pursuant to authorization of Chapter 26320 Laws of Florida, Acts of 1949, the sum not to exceed \$25,000 to Appropriation Account 2545-CL33C for the fiscal year ending June 30, 1950, for the specific purpose of repair and maintenance of various streets in the City of Coral Gables as designated by the City Manager, by sealing and resurfacing said streets through application of asphaltic oils and sanding.

2. That any portion of said appropriation not used or needed to complete the work herein authorized shall be returned to the cigarette tax fund of the city.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3481

A RESOLUTION APPROPRIATING THE SUM OF \$6,000 FROM THE CIGARETTE TAX FUND OF THE CITY FOR THE CONSTRUCTION OF A BRIDGE.

WHEREAS the bridge over the Coral Gables canal at Alhambra Circle has been found to be in a bad and dangerous condition, and such condition necessitates the immediate replacement of such bridge; and

WHEREAS, if the usual method of handling such matters were followed it would mean that the bridge would be closed to the public for a long period of time, to the discomfort and inconvenience of the many people who use this bridge; and

WHEREAS the City Manager has recommended that expediency requires that the work be done on a purchase and hire basis rather than upon a contract after bids advertised for and let, and has declared that the cost of such work in his opinion would be as cheap or cheaper than by advertising and letting a contract; and

WHEREAS the City of Coral Gables, as authorized by the terms of Chapter 26320 Laws of Florida, Acts of 1949, has levied a tax upon the sale, use and distribution of cigarettes within the corporate limits of this city, and has received and has on hand funds in excess of the amount hereinafter appropriated, constituting receipts from such tax; and

WHEREAS the use of such funds by this city for construction, repair or reconditioning of bridges is specifically permitted by Chapter 26320;

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

1. That the City Manager be and he hereby is authorized to replace the existing bridge over the Coral Gables canal at Alhambra Circle as quickly as possible on a purchase and hire basis, and by use of direct labor, under the supervision of the City Manager or his designated nominee, and according to plans and specifications selected by the City Manager and Mr. M. B. Garris, Engineer, at a cost not to exceed \$13,000.

2. That there is hereby appropriated from funds on hand from the collection of the cigarette tax of this city, levied and imposed by Ordinance No. 626 pursuant to authorization of Chapter 26320 Laws of Florida, Acts of 1949, the sum of not to exceed \$6,000 to Appropriation Account 2545-C321F for the fiscal year ending June 30, 1950 for the specific purpose of reconstruction of bridge over the Coral Gables canal at Alhambra Circle.

3. That any portion of said appropriation not used or needed to complete the work herein authorized shall be returned to the cigarette tax fund of the city.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3482

A RESOLUTION AUTHORIZING A PAYMENT ON ACCOUNT OF ARCHITECT'S FEES FOR THE NEW BUS TERMINAL.

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

That the proper city officers be and they hereby

are authorized to make a part payment of \$7,500 upon account of architect's fees for preparation of plans and specifications of the proposed new bus terminal, such payment to be considered an advance by the city and to be reimbursed by the proceeds of future revenue certificates for such terminal.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 647

AN ORDINANCE AMENDING SECTION 7A, SUBSECTION (e) OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS AMENDED; PROVIDING THAT NO BUSINESS FOR THE SALE OF ALCOHOLIC BEVERAGES OR INTOXICATING LIQUORS CONTAINING ALCOHOL OF MORE THAN 14% BY WEIGHT FOR CONSUMPTION ON OR OFF THE PREMISES, AND NO BUSINESS FOR THE SALE OF ALCOHOLIC BEVERAGES CONTAINING ALCOHOL OF NOT MORE THAN 14% BY WEIGHT FOR CONSUMPTION ON THE PREMISES SHALL BE ESTABLISHED OR CONDUCTED WITHIN 300 FEET OF ANY ESTABLISHED CHURCH OR SCHOOL; PRESCRIBING METHOD OF MEASUREMENT OF SAID DISTANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A SEPARABILITY CLAUSE.

which was read by title and adopted on first reading April 18, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 647.

RESOLUTION NO. 3483

A RESOLUTION ACCEPTING A GIFT TO THE CITY OF BLOCK 90, RIVIERA SECTION PART 3, AND EXPRESSING APPRECIATION THEREFOR.

WHEREAS the Consumers Water Co. has conveyed to the City of Coral Gables, free of charge, Block 90, Riviera Section Part 3, Coral Gables;

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

That this conveyance and gift of said Block 90, Riviera Section, from the Consumers Water Co. to the City of Coral Gables, is hereby accepted, and the sincere thanks and appreciation of this Commission, on behalf of the citizens of Coral Gables, is hereby expressed to the Consumers Water Co. for its generous and public spirited action in this respect; and the City Clerk is hereby directed to forward a certified copy of this resolution of appreciation to the Consumers Water Co.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas"

Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3484

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting April 24, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted;

1. Permit construction of residence with side setbacks of 9'5" and 9'4" respectively instead of 10' as now zoned, on Lots 24 and 25, Block 110, Riviera Section.
2. Permit construction of residence with 18 foot setback on Maggiore Street, instead of 25 foot setback as now zoned, on Lots 1 and 2, Block 98, Riviera Section.
3. Permit construction of residence with a area credit for car-porte (301 square feet) and open porch (126 square feet), bringing square footage of residence to 2109 square feet, on Lot 9, Block 16, Section E.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3485

A RESOLUTION RESCINDING SECTION 6 OF
RESOLUTION NO. 3392

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

That sub-section 6 of Resolution No. 3392 passed and adopted January 17, 1950, be and hereby is rescinded and repealed.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE", BY REQUIRING THAT ALL STORE UNITS IN COMMERCIAL DISTRICTS HAVE A MINIMUM OF 10 FEET OF STREET FRONTAGE, AND REQUIRING THAT ALL STORES IN COMMERCIAL DISTRICTS HAVE BOTH A FRONT AND REAR ENTRANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted

on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE", BY ADDING TO SECTION 14(1) THEREOF SUB-PARAGRAPH (e) TO PROHIBIT THE CONDUCT OF THE BUSINESSES OF FORTUNE TELLER, CLAIRVOYANT, PALMIST, ASTROLOGER, PHRENOLOGIST, CHARACTER READER, SPIRIT MEDIUM, ABSENT TREATMENT HEALER, MIND READER, MENTAL HEALER, NUMEROLOGIST, AND ALL OTHER OCCUPATIONS OF SIMILAR NATURE, EXCEPT ON PREMISES ZONED AS INDUSTRIAL; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3486

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14% of alcohol by weight for consumption on the premises heretofore issued to Dean E. Draher d/b/a Nook Bar, 255 Avenue Minorca, to Joseph G. Faflik doing business under the same name at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Mayes; Mayor Phillips. "Nays" - None. Commissioner Healy not voting.

The City Clerk called the attention of the Commission to the fact that it had at the April 4th meeting offered to Mr. Robert Fink the payment of \$100.00 for a drawing of one version of the city seal. He state that Mr. Denman Fink father of Robert Fink, had advised that he felt that the quoted price of \$200.00 should be met. The Commission authorized the City Clerk to drop the negotiations for such drawing at such price.

The matter of reappointing members of the City Planning and Advisory Board for terms beginning May 1, 1950, was considered and deferred.

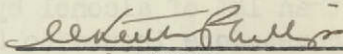
The City Attorney presented a written opinion to the Commission concerning the requested exception by Mr. J. H. Bass to use Lots 3 and 4, Block 17, Section K, as a parking lot in connection with a commercial building to be built

upon Lots 45 to 48 inclusive, Block 17, Section K. The City Attorney stated in this opinion that he believed that an amendment to the zoning ordinance would be necessary to change the zoning of these lots to permit such use, and further advised that it was his opinion that if the applicant were denied the privilege of using Lots 3 and 4 for non-commercial off-street parking in connection with operation of such business that he would prevail in a court action enforcing a change.

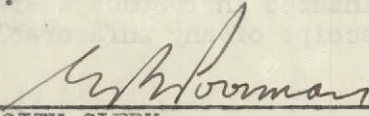
Dr. Philip J. Chastain appeared before the Commission to request that the city sell to him the south 25 feet of Lot 12 and the north 5 feet of Lot 13, Block 1, Mariana Place. This tract of land was purchased by the city for a proposed extension of Avenue Angelo to Avenue Santiago. At the present time this tract is not paved as a street but is used to some extent by vehicles as a roadway. The Commission deferred action on this matter and requested that notices be sent to owners of all property that would be affected by the proposed private ownership of this tract for a public hearing on this proposal to be held at the next Commission meeting.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:


CITY CLERK
E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
MAY 16, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, May 16, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The minutes of the regular meeting of May 2, 1950 were approved as read.

Mr. Jean Helvey and Mr. Harry M. Rath, principal of the Coral Gables Senior High School, appeared to request that the Commission appropriate money for the purchase of band uniforms for the new high school band. The City Attorney expressed the opinion that such a contribution by the city was not within its charter power.

RESOLUTION NO. 3487

A RESOLUTION TRANSFERRING \$1,000 FROM COOPERATIVE ACTIVITIES APPROPRIATION TO PUBLICITY APPROPRIATION.

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

That the sum of \$1000.00 is hereby transferred from Appropriation Account 2570-231 for cooperative activities to Appropriation Account 2570-221 for publicity, for the fiscal year ending June 30, 1950.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 648

AN ORDINANCE VACATING AND DISCONTINUING A PORTION OF THE ALLEY IN BLOCK 4, CRAFTS SECTION, AND A PORTION OF BAYSIDE ENTRANCE PLAZA, AS DESCRIBED HEREIN, AS SHOWN ON PLAT OF CRAFTS SECTION IN PLAT BOOK 10, PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Mayes, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 648.

ORDINANCE NO. 649

AN ORDINANCE APPROVING A PLAT ENTITLED "PAGE'S REPLAT OF A PORTION OF BLOCK 4, CORAL GABLES CRAFTS SECTION", AND ACCEPTING AND CONFIRMING DEDICATION OF PLAZA, ALLEY AND STREETS CONTAINED THEREIN; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 649.

The City Manager presented a letter from Mr. Andrew N. Houston, General Chairman of the Royal Poinciana Festival, requesting an appropriation of \$500.00 by the city as a contribution to the 1950 festival. The Commission authorized the free use of the Venetian Pool and Biltmore Golf Course facilities for the festival events, and directed that the City Manager request the Coral Gables Country Club to permit use of club facilities without charge. The matter of appropriation of funds for the festival was referred to the Coral Gables Chamber of Commerce.

The City Manager recommended the purchase of \$6,494.96 of special operating equipment in preparation of future hurricanes and the following resolution was presented and read:

RESOLUTION NO. 3488

A RESOLUTION APPROPRIATING \$6,494.96 FROM THE SPECIAL BENEFITS FUND FOR HURRICANE EXPENSE.

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

That the sum of \$6,494.96 be and the same hereby is appropriated from the Special Benefit Trust and Reserve Fund to Appropriation Account 2571 for the fiscal year

ending June 30, 1950, for the purchase of the following equipment to be held for use in future hurricanes:

4 dozen #5 axes	@ \$ 2.80	\$ 134.40
4 dozen spring tooth lawn rakes	@ 1.50	72.00
$\frac{1}{2}$ dozen cross cut saws	@ 4.50	27.00
2 dozen pruning saws	@ 6.00	144.00
2 dozen 6 tine pitch forks	@ 1.64	39.36
2 dozen 14 tine coke forks	@ 5.05	121.20
1000' Manilla rope 1"	@	107.00
3 18" McCullough power saws	@ 325.00	975.00
1 model 58 5/8 yard hydraulic swing loader		<u>4,875.00</u>
	TOTAL	<u>\$6,494.96</u>

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays"-None.

The matter of negotiating with the Florida Power and Light Company for the grant of a new 30 year franchise calling for payment by the company to the city of 6% of its gross receipts was discussed at some length, and the City Manager and City Attorney were authorized and directed to open negotiations with officials of the company concerning such a franchise. It was also suggested by the Commission that the matter of the new franchise be referred to the fiscal agents of the city for a recommendation.

The City Manager called to the attention of the Commission the fact that the terms of all members of the Planning and Advisory Board had expired as of May 1, 1950. Action was deferred.

RESOLUTION NO. 3489

A RESOLUTION AUTHORIZING EXECUTION OF A THREE YEAR LEASE FOR THE BILTMORE GOLF COURSE.

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

That the Mayor and City Clerk be and they hereby are authorized and directed to execute, on behalf of the City of Coral Gables, a lease for the Biltmore Golf Course in form and substance as follows:

LEASE
UNITED STATES OF AMERICA
and
THE CITY OF CORAL GABLES, FLORIDA

1. THIS LEASE, made and entered into this 1st day of May, 1950, by and between the UNITED STATES OF AMERICA, represented by the VETERANS ADMINISTRATION, hereinafter referred to as the Government, and THE CITY OF CORAL GABLES, a municipality of the State of Florida, hereinafter referred to as the Lessee.

WITNESSETH: the parties hereto for the consideration hereinafter mentioned do covenant and agree as follows:

2. The Government hereby leases to the Lessee the following described premises to be used exclusively as a golf course:

Eighteen-hole golf course, known as the Miami Biltmore Country Club Golf Course, located adjacent to the Veterans Administration Hospital, Coral Gables, Florida, together with certain buildings situated thereon described as follows:

No. 16, golf course office and maintenance building; No. 17 toilet building; No. 28, rest room for men and women; No. 35, golf shelters; No. 36, golf shelter; No. 37, golf shelter; No. T-34, maintenance shed; No. 12, pumping station; portion of the club house, southwest corner ground floor office and shop of the golf professional; southeast corner, ground floor, club room for golf players and sale of soft drinks, sandwiches, pastries and the like; east side, ground floor, men's and women's locker and shower rooms, which, however, the Lessor reserves the right unto itself occasionally to use, but such use shall and does not preclude a simultaneous use by the Lessee; the golf course and the other demised premises being shown on the map or plat attached hereto and made a part hereof and identified as Exhibit "A", and in addition hereto all and singular the personal property and equipment as set forth in inventory attached hereto as Exhibit "B", such property to be used in connection with the operation of the demised premises.

3. TO HAVE AND TO HOLD the said premises with their appurtenances for the term of three years commencing November 15, 1950, and ending at midnight on the 14th day of November 1953.

4. The Lessee shall pay the Government for the premises rent at One Dollar per annum, and shall faithfully carry out and perform the obligations and undertakings herein set forth to be performed by it. Payment of rental shall be made to the Manager, Veterans Administration Hospital, Coral Gables, Florida, each year in advance.

5. The Government reserves the right to use all roads and pathways now located within the golf course area leased. The Government further reserves, and there is excluded from this lease contract the following improvements:

Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71, comprising the sewage-treatment plant, and Building T-14 (animal house) together with sufficient area surrounding said improvements to facilitate proper maintenance and necessary repairs.

The Government also reserves the right of ingress and egress at all times to and from said sewage-treatment plant and animal house and any portion of the leased premises for the purpose of maintenance and repair of any of the utility facilities; and also reserves the right to enter upon the demised premises at any reasonable time for purposes of inspection.

6. The Lessee shall provide adequate police protection at all times on and around demised premises and shall also prevent unauthorized persons from entering upon the said demised premises and the hospital property.

7. The Lessee shall neither transfer nor assign this lease or any part thereof or any property thereon nor grant any interest, privilege or license whatsoever in connection with this lease without permission in writing from the Government.

8. The Lessee shall at its sole expense maintain all the property demised herein in good condition and repair and upon expiration or cancellation of this lease the Lessee shall at the election of the Government, upon thirty days written notice computed from the date of mailing, promptly remove its property therefrom and restore the Government property to the same condition as when received, reasonable wear and tear and damage over which the Lessee has no control, excepted. Attached hereto and made a part hereof as Exhibits "B" and "C" are descriptive inventories of the property herein leased. The parties hereto do hereby agree and stipulate that the said Exhibits "B" and "C" truly and correctly describe such property and the condition thereof and that the same shall be used to determine the nature and extent of restoration or replacement of the items listed or described therein, if required, upon expiration or termination of this lease.

9. The Lessee shall indemnify and save the Government harmless from any liability or responsibility of any nature whatsoever arising directly or indirectly from this lease or in any manner whatsoever relating thereto. The Lessee shall also at its expense procure coverage in public liability insurance of not less than \$100,000.00 limitation, covering activities with respect to the property herein demised, and

shall furnish proper certification thereof to the Government, such certification to provide that the Government shall be notified by the insurer not less than ten calendar days before the expiration or termination of the policy, said certification and notices to be sent to the Director, Real Estate Service, Veterans Administration, Washington 25, D. C.

10. The Lessee shall at all times exercise due diligence in the protection of the demised premises against the damage or destruction by erosion, fire, and other causes.

11. The Lessee shall not cut, remove, or wilfully damage any trees located in the areas leased and shall commit no waste of any kind. The Lessee shall not construct any permanent structure on the said demised premises and shall not construct any temporary structure thereon or perform any alterations, additions, deletions, or other modifications of the golf course, building, or adjuncts thereto, without the approval of the Government.

12. The Lessee shall comply with all applicable laws, ordinances, and regulations of the City, County, and municipality wherein said demised premises are located with regard to construction, sanitation, licenses, or permits to do business and all other matters.

13. The Lessee shall establish reasonable rules and regulations covering the use of the demised premises, which rules and regulations shall provide that no area within the demised premises shall be open to the public on any day later than 9 o'clock P.M.

14. The Lessee shall not authorize or permit the sale, possession or consumption of beer, wines and intoxicating liquors upon the demised premises nor shall the Lessee authorize or permit any other activities or conduct on the demised premises which may adversely affect the operation of a Veterans Administration Hospital adjacent thereto.

15. The Lessee shall permit free use of the golf course and its appurtenances to the patients hospitalized in the Veterans Administration Hospital, Coral Gables, Florida, upon presentation by such patients of said hospital of authorization cards from the Manager of said hospital or his designated representatives.

16. The Lessee shall maintain and operate at its own expense the pumping station (Building No. 12) in a manner satisfactory to the Government.

17. The Lessee shall pay all charges for water, heat, gas, and electric current, if furnished, based upon meter readings or such other reasonable methods as determined by the Government. Payment shall be made by the Lessee to the producing company covering such services as are not services rendered by the Government.

18. This lease may be terminated at any time upon the request of either party by ninety (90) days written notice to the other party, by registered mail, said notice to be computed from date of mailing.

19. The Lessee shall conduct no mining operations nor remove any petroleum or mineral substances from the property herein leased.

20. All uranium, thorium, and all other materials determined pursuant to Section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the lands covered by this instrument are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. However, such land may be used, and any rights otherwise acquired by this disposition may be exercised, as if no reservation of such materials had been made; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under the Atomic Energy Act of 1946, as it now exists or may hereafter be amended, such material shall be the property of the United States Atomic Energy Commission, and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material

before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect.

21. No member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this lease if made with a corporation for its general benefit.

22. The Lessee warrants that he has not employed any person to solicit or secure this lease upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the lease, or, in its discretion, to increase the rental consideration reserved herein by the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by lessees upon contracts or leases secured or made through bona fide established commercial or selling agencies maintained by the Lessee for the purpose of securing business.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays"-None.

ORDINANCE

AN ORDINANCE VACATING THE ALLEY IN BLOCK
135, RIVIERA SECTION PART 9, CORAL GABLES.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Director of Public Safety was present to discuss with the Commission the policy of enforcement of traffic laws in the city. At the conclusion of this discussion, it was decided that current policies should be continued, and the Commission commended the members of the Police Department for their courtesy and judgment in law enforcement.

The matter of holding five sessions of the Municipal Court each week instead of three sessions, as is now the practice, was discussed and generally approved.

ORDINANCE NO. 650

AN ORDINANCE AUTHORIZING THE MAYOR
AND CITY CLERK OF THE CITY OF CORAL
GABLES TO EXECUTE TO CHARLES A. RADWAY
A WARRANTY DEED COVERING AND EMBRACING
CERTAIN PROPERTIES LOCATED IN SECTION
36-A; DECLARING THIS TO BE AN EMERGENCY
ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Healy, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 650.

ORDINANCE

AN ORDINANCE PERTAINING TO THE REGULATION OF PEDESTRIAN AND VEHICULAR TRAFFIC IN THE CITY OF CORAL GABLES, FLORIDA; PRESCRIBING REGULATIONS DEALING WITH PARKING, TRAFFIC CONTROL DEVICES, OPERATION OF VEHICLES, USE OF STREETS, EQUIPMENT FOR MOTOR VEHICLES, INSPECTION OF MOTOR VEHICLES, PEDESTRIANS' RIGHTS AND DUTIES, TAXI-CABS AND PARKING METERS; DEFINING OFFENSES AGAINST THE TRAFFIC LAWS; REPEALING ALL LAWS IN CONFLICT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised the Commission that he had received an offer from Mr. Dave Davis to pay the city \$8.00 a year per can for advertising matter to be placed upon trash cans to be distributed throughout the business section. The Commission was not in favor of such practice.

Mr. Walter Butler was present and discussion was held concerning the plans and specifications for the new bus terminal. The City Manager recommended the reduction of specifications in all possible respects in an effort to hold down the cost of the building, and noted a number of suggestions made by Mr. George Preston to lower the cost of the terminal. It was the consensus of opinion of the Commissioners present that bids should be requested upon the terminal plans and specifications, as they now exist, in the hope that such bids would permit construction of the terminal, including all incidental expenses, for \$300,000.00. The Director of Finance was directed to request that the Bond Attorneys prepare a Revenue Certificate Ordinance authorizing the issuance of \$300,000.00 Revenue Certificates for the consideration of the Commission at its next meeting.

RESOLUTION NO. 3490

A RESOLUTION AUTHORIZING EXCEPTIONS TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting May 8, 1950, has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance" be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of residence facing on Avenue Cecelia instead of Red Road, upon Lots 23 and 24, Block 64, Riviera Section.
2. Permit construction of residence facing on Cordova Street instead of Avenue Almeria, on Lots 10 and 11, Block 15, Section A.
3. Permit lowering of roof parapet from 18", as now required, to 6", on a building to be built upon Lots 17 to 24 inclusive, Block 2, Crafts Section, subject to the approval of plans therefor by the Board of Architects.
4. Permit use of Lots in Blocks 151, 152, 153, 157 and 158, Riviera Section for parking lots in connection with commercial buildings to be built on Tract A of replat of part of Coral Gables Riviera Section Part 8, according to plat thereof, recorded in Plat Book 46, Page 100 of the public records of Dade County, Florida.
5. Permit construction of a two-car garage on Lots 17 and 18, Block 146, Riviera Section, said garage to be in connection with residence now located upon Lots 13 to 16 inclusive of said block, providing that the owner thereof execute a Declaration of Restrictive Covenants, whereby he will agree not to convey said Lots 17 and 18 separate and apart from Lots 13 to 16 inclusive.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.

"Nays" - None.

ORDINANCE NO. 651

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE", BY ADDING TO SECTION 14(1) THEREOF SUB-PARAGRAPH (e) TO PROHIBIT THE CONDUCT OF THE BUSINESSES OF FORTUNE TELLER, CLAIRVOYANT, PALMIST, ASTROLOGER, PHRENOLOGIST, CHARACTER READER, SPIRIT MEDIUM, ABSENT TREATMENT HEALER, MIND READER, MENTAL HEALER, NUMEROLOGIST, AND ALL OTHER OCCUPATIONS OF SIMILAR NATURE, EXCEPT ON PREMISES ZONED AS INDUSTRIAL; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading May 2, 1950, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call:

"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes, Mayor Phillips.

"Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 651.

ORDINANCE NO. 652

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE", BY REQUIRING THAT ALL STORE UNITS IN COMMERCIAL DISTRICT HAVE A MINIMUM OF 10 FEET OF STREET FRONTAGE, AND REQUIRING THAT ALL STORES IN COMMERCIAL DISTRICT HAVE BOTH A FRONT AND REAR ENTRANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

which was read by title and adopted on first reading May 2, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 652.

ORDINANCE NO. 653

AN ORDINANCE AMENDING SECTIONS 24 AND 25 OF ORDINANCE NO. 271, AS AMENDED, PASSED AND ADOPTED FEBRUARY 16, 1937, AND KNOWN AS THE "ZONING ORDINANCE"; PROVIDING FOR THE APPOINTMENT AND TERMS OF OFFICE OF MEMBERS OF THE BOARD OF SUPERVISING ARCHITECTS AND STRUCTURAL ENGINEER; PRESCRIBING THE POWERS AND DUTIES OF THE BOARD OF SUPERVISING ARCHITECTS AND STRUCTURAL ENGINEER, AND THE PROCEDURE BEFORE SUCH BOARD; REQUIRING FILING OF AN APPLICATION FOR A PERMIT AND/OR ISSUANCE OF A PERMIT PRIOR TO COMMENCEMENT OF ANY ERECTION, CONSTRUCTION, ALTERATION OR REPAIR OF BUILDINGS OR SIGNS IN THE CITY AND THAT THE WORK IN CONNECTION THEREWITH SHALL NOT DEVIATE FROM SUCH PERMIT; REQUIRING FILING OF PLANS AND/OR SPECIFICATIONS WITH APPLICATION FOR PERMITS IN CERTAIN CASES AND THE APPROVAL OF THE BOARD OF SUPERVISING ARCHITECTS AND/OR STRUCTURAL ENGINEER THEREOF IN DESIGNATED CASES; PROVIDING FEES TO BE PAID TO SUPERVISING ARCHITECTS AND THE STRUCTURAL ENGINEER; PROVIDING AN APPEAL FROM DECISION OF THE BOARD OF SUPERVISING ARCHITECTS, STRUCTURAL ENGINEER, OR BUILDING INSPECTOR TO THE ZONING BOARD OF APPEALS; PROVIDING FOR THE APPOINTMENT AND TERMS OF OFFICE OF MEMBERS OF THE ZONING BOARD OF APPEALS; PRESCRIBING POWERS AND DUTIES OF THE ZONING BOARD OF APPEALS AND PROCEDURE OF SUCH BOARD IN THE CONDUCT OF ITS BUSINESS; PROVIDING FEES TO BE PAID TO MEMBERS OF THE ZONING BOARD OF APPEALS; PROVIDING AN APPEAL FROM DECISIONS OF THE ZONING BOARD OF APPEALS TO THE CITY COMMISSION; PROVIDING THAT EXCEPTIONS OR VARIATIONS FROM ZONING ORDINANCE MAY BE APPROVED BY CITY COMMISSION BY RESOLUTION; PROVIDING PROCEDURE TO BE FOLLOWED IN CASES OF CERTAIN AMENDMENTS TO THE ZONING ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEPARABILITY OF THE TERMS OF THIS ORDINANCE.

which was read by title and adopted on first reading April 18, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Hendrick and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes;

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 653.

ORDINANCE NO. 654

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS AMENDED, AS TO ZONING REQUIREMENTS OF LOTS 3 AND 4, BLOCK 17, SECTION K; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None. Commissioner Hartnett not voting.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Healy, Hendrick, and Mayes; Mayor Phillips. "Nays" - None. Commissioner Hartnett not voting.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 654.

RESOLUTION NO. 3491

A RESOLUTION APPROPRIATING \$16,069.67 FOR PAYMENT OF BALANCE DUE ON BUS MORTGAGE AND INTEREST.

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

1. That the Director of Finance is hereby authorized to transfer the sum of \$16,069.67 from available unappropriated revenue to the Trust and Reserve Fund - Equipment Replacement Fund of the city.

2. That the sum of \$16,000.00 is hereby appropriated from the Trust and Reserve Fund - Equipment Replacement Fund to Appropriation Account 2580-311M for payment of the balance due on the Chattel Mortgage outstanding on buses during this fiscal year; and the sum of \$69.67 is hereby appropriated from the Trust and Reserve Fund - Equipment Replacement Fund to Appropriation Account 2580-411 for the payment of interest due on said mortgage; and the proper city officers are hereby authorized to pay such mortgage in advance of maturity.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk stated that a license had been issued on April 19, 1950 to A & M Patrol for the conduct of a patrol service and that the proprietors of such business had been unable to secure a gun permit from the county officials so that it had become impossible to commence and operate such business. He recommended a refund of the license fee paid.

RESOLUTION NO. 3492

A RESOLUTION AUTHORIZING REFUND
OF LICENSE FEE.

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

That the City Clerk is hereby authorized and directed to refund to Michael Mirto and Louis P. Aldio, d/b/a A & M Patrol, the sum of \$30.00 paid by said parties for city Occupational License No. 3250, issued April 19, 1950, upon presentation and cancellation of the outstanding license, upon the ground that said business has never been in operation and will not commence operation.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call:
"Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips.
"Nays" - None.

At the request of the City Manager and Director of Finance the Commission agreed to hold a conference upon the Budget Estimate for the fiscal year 1950-1951, on Wednesday, May 24, 1950, at 2:00 o'clock P.M.

RESOLUTION NO. 3493

A RESOLUTION AFFIRMING THE DECISION OF THE
TRIAL BOARD OF THE CITY OF CORAL GABLES IN
THE CASE OF HENRY G. MEDLOCK.

WHEREAS, on June 11, 1949, Mr. H. G. Medlock was dismissed from his position as an employee of the City of Coral Gables by his superior, Mr. Harley Pittman, Superintendent of Streets, in order to promote the efficiency of the city service, which said dismissal was approved by the City Manager on the said date; and

WHEREAS, Mr. H. G. Medlock appealed the decision to the Trial Board of the City of Coral Gables, and the said Trial Board on July 15, 1949, sustained the dismissal; and

WHEREAS, Mr. H. G. Medlock did thereafter appeal to the City Commission from the decision of the Trial Board;

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

That the decision of the Trial Board of the City of Coral Gables, on July 15, 1949, sustaining the dismissal of Mr. H. G. Medlock as an employee of the City of Coral Gables, is hereby affirmed.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3494

A RESOLUTION DETERMINING THE LENGTH OF EMPLOYMENT OF H. G. MEDLOCK PRIOR TO HIS DISCHARGE.

WHEREAS, the records of the Finance Department and the Retirement System of the City of Coral Gables have heretofore shown that H. G. Medlock had 17 years, 5½ months of service in the city employ as of the date of his discharge on June 11, 1949; and

WHEREAS, said H. G. Medlock has filed an affidavit that he was in the employ of the city for various periods in 1925, 1926, 1927, 1928 and 1929, for which the records of the city give him no credit, and that he had been employed by the city for 20 years or more as of June 11, 1949; and signed statements of other employees of the city substantiate this claim; and

WHEREAS, employment records of the city for the periods April 25, 1925 to September 9, 1926, and from June 22, 1928 to June 26, 1930, totaling 3 years and 4¼ months, are missing, and there are no records available to support or disprove such claim of employment;

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

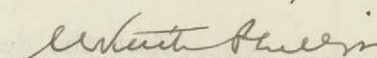
1. This Commission hereby finds and determines, on the basis of sworn statements presented, that H. G. Medlock had been employed by the City of Coral Gables for at least 20 years at the time of his discharge on June 11, 1949, and hereby directs the City Clerk and Director of Finance to amend and correct the records of the city to show 20 years of service for such former employee.

2. That this Commission hereby certifies to the Board of Trustees of the Coral Gables Retirement System that participant H. G. Medlock is entitled to an immediate Retirement Annuity beginning as of June 12, 1949 and based upon 20 years of service in the employment of the city.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business, the meeting was adjourned.

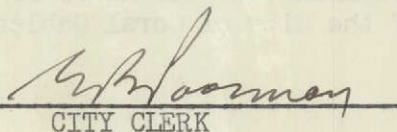
APPROVED:



MAYOR

W. Keith Phillips

ATTEST:



CITY CLERK

E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JUNE 6, 1950

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock, P.M., Tuesday, June 6, 1950. Mayor Phillips in the chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The meeting was turned over to a public hearing upon confirmation of the preliminary assessment roll in Local Improvement H-72.

RESOLUTION NO. 3495

A RESOLUTION CONFIRMING THE PRELIMINARY ASSESSMENT ROLL FOR LOCAL IMPROVEMENT H-72.

WHEREAS the Commission of the City of Coral Gables met at 8 o'clock P.M., June 6, 1950, pursuant to legal notice of said meeting published in accordance with the provisions of the city charter, to hear objections by interested persons to the confirmation of the preliminary assessment roll for Local Improvement H-72, and no objections were voiced;

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

1. That the assessments as imposed and indicated in the preliminary assessment roll for Local Improvement H-72 be, and they hereby are, confirmed and sustained against all lots and parcels of land described therein.

2. That it is hereby found that the amount assessed for and upon each of the lots and parcels described in said preliminary assessment roll is not more than the amount that each of said lots and parcels is specifically benefited by said improvement, and that such amount is in proportion to the benefits that each of said properties received thereby, and that the proportion of said work to be paid by the City of Coral Gables on account of intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments against the separate lots or parcels.

3. That the total amount of said assessment and the apportionment of cost of said improvement as follows:

Total cost	\$2,160.70	Apportioned to abutting
Apportioned to City	<u>336.92</u>	lots and parcels, per
Apportioned to		lineal front foot: \$.7423
abutting property	\$1,823.78	

be and the same hereby is confirmed.

4. That each and every assessment described herein shall become due and payable July 15, 1950, except that assessments in the amount of \$25.00 or more against any one lot or parcel, as shown on the plats of record, may be paid in three equal installments on or before the first day of November 1950, 1951 and 1952, provided that the owner thereof shall file with the City Manager, on or before July 15, 1950, his written undertaking waiving all irregularities and illegalities in connection with said assessments against such lot or parcel; all deferred payments or delinquent payments to bear interest at the rate of 6 percent per annum from July 15, 1950.

5. That the Director of Finance is hereby authorized to transfer the necessary amount to pay the cost of Local

Improvement H-72 as shown above, from the Trust and Reserve Fund of the city to the Current Fund as a temporary loan, such loan to be repaid as follows:

- (a) The city portion of said assessment in the amount of \$336.92 shall be repaid in three annual installments without interest at the same times installments are due on assessments of abutting property;
- (b) The remainder of such loan shall be repaid by transferring to the Trust and Reserve Fund all payments received from the assessments upon abutting property in said improvement districts;
- (c) All interest received upon deferred installments of such assessments upon abutting property shall be likewise paid into the Trust and Reserve Fund account.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The meeting was turned over to a public hearing upon the appeal of the Tropical Paper Box Co. from a decision of the Zoning Board of Appeals made at its meeting May 22, 1950, disapproving a request for a change of zoning of Lots 25 to 27 inclusive, Block 11, Flagler Section, from CF-3 $\frac{1}{2}$ R-1 use to C-3 Commercial use. Mr. O. B. Sutton appeared as attorney for the owners and stated that the box company and its predecessors had been in business at their present location since prior to February 16, 1937, and that the present use was a non-conforming use under the zoning ordinance, which would permit an addition to the present building up to 50% of its value. He stated that the owners, instead of building any addition as was permitted (which would mean the construction of a second story upon the present building), requested the change of zoning for the adjacent lots to permit construction thereon of a building to be used for storage only.

Mr. Joseph Vasta, 17 Avenue Marabella, representing property owners in the area who had presented a petition to the Zoning Board in opposition to this request, expressed the opposition of the owners of the property in the neighborhood. He declared that it was their belief that any extension of the building would deteriorate the value of residences, and that the property owners affected preferred the construction of a second story under the non-conforming use rule rather than an extension of the commercial area.

At the conclusion of this hearing, there being no action taken by the Commission, the decision of the Zoning Board was sustained.

The meeting was then turned over to a public hearing upon the appeal of Gene Headlee from the decision of the Zoning Board of Appeals made at its meeting May 22, 1950, disapproving a request for a change of zoning of Lots 12

and 13, Block 4, Section B, from CFD-7½ duplex use, to CFA-8 apartment use.

Mr. Headlee spoke in regard to his appeal stating that he desired to build a three unit building on these lots, which abut upon LeJeune Road.

Numerous property owners in the vicinity appeared to object to this zoning, and Mr. J. C. Fitzgerald and Mr. J. E. Calkins spoke for the objectors.

RESOLUTION NO. 3496

A RESOLUTION SUSTAINING THE DECISION OF
THE ZONING BOARD CONCERNING ZONING OF
LOTS 12 AND 13, BLOCK 4, SECTION B.

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

That the recommendation of the Zoning Board of Appeals made at its meeting May 22, 1950, disapproving a request for a change of zoning of Lots 12 and 13, Block 4, Section B, from CFD-7½ duplex use to CFA-8 apartment use, be and the same hereby is sustained.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

During the hearing above Mr. Headlee admitted his building erected on adjoining Lot 14 had been converted to permit multiple use, without a building permit and contrary to the zoning law. The City Manager was directed to investigate this situation and to enforce conformity with the zoning ordinance.

RESOLUTION NO. 3497

A RESOLUTION CHANGING THE NAME OF
AVENUE MUERTES.

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

That the name of that certain street designated upon the plats and maps of the City of Coral Gables as Avenue Muertes, be and the same hereby is changed to Avenue San Lorenzo.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Commission then considered the request of Dr. Phillip J. Chastain to purchase from the city the south 25 feet of Lot 12 and the north 5 feet of Lot 13, Block 1, Mariana Place, which adjoins Dr. Chastain's property to the north. This is a 30 foot strip of land facing Avenue Santiago and lying immediately west of the end of Avenue Angelo, and was purchased by the city in 1932 for the possible extension of Avenue Angelo west to Avenue Santiago. Letters of objection to the sale of this property and urging that the property be held for future extension of Avenue Angelo,

were received from Anton Placek and William L. Bauman, owners of adjoining properties. No action was taken upon the request to sell this property.

Mr. John Ravlin, owner of Lots 1 and 34, Block 203, Riviera Section, appeared before the Commission and stated that he had been negotiating for the sale of such lots for use as a service station; that he had just learned of the passage of Ordinance 642 on March 21, 1950, requiring a distance requirement of 750 feet between filling stations in that area. He stated that this ordinance would prevent the use of this property, or any other property in the C-3 zone in which it was located, for filling stations, and requested that consideration be given to the repeal of Ordinance 642. No action was taken.

ORDINANCE NO. 655

AN ORDINANCE PERTAINING TO THE REGULATION OF PEDESTRIAN AND VEHICULAR TRAFFIC IN THE CITY OF CORAL GABLES, FLORIDA; PRESCRIBING REGULATIONS DEALING WITH PARKING, TRAFFIC CONTROL DEVICES, OPERATION OF VEHICLES, USE OF STREETS, EQUIPMENT FOR MOTOR VEHICLES, INSPECTION OF MOTOR VEHICLES, PEDESTRIANS' RIGHTS AND DUTIES, TAXICABS AND PARKING METERS; DEFINING OFFENSES AGAINST THE TRAFFIC LAWS; REPEALING ALL LAWS IN CONFLICT; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

which was read by title and adopted on first reading May 16, 1950, was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 655.

Mr. Peter Knowles, Mr. Robert Searle, Mr. Leo Fullwood, Mr. Al Harum and Mr. William B. Lovett, Jr. appeared concerning a request for financial assistance from the Chamber of Commerce or city to send participants to the Southern Tennis Tournaments to be held in June, and to the support generally of the city and of the Chamber in sending participants to sectional and national tennis meets. The Commission approved the inclusion of an item of \$300. in the publicity budget for the Chamber of Commerce for 1950-1951 for financial assistance to tennis participants, and the following resolution was also presented and read:

RESOLUTION NO. 3498

A RESOLUTION TRANSFERRING \$140 FROM COOPERATIVE ACTIVITIES APPROPRIATION TO APPROPRIATION FOR PUBLICITY.

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

That the sum of \$140 is hereby transferred from Appropriation Account 2570-231 for Cooperative Activities to Appropriation Account 2570-221 for Publicity, for the fiscal year ending June 30, 1950.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 656

AN ORDINANCE OF THE CITY OF CORAL GABLES DEALING WITH THE ERECTION, INSTALLATION, PAINTING OR ATTACHMENT OF SIGNS TO OR ON ANY STRUCTURE OF AWNING VALANCE WITHIN THE CITY OF CORAL GABLES; MAKING IT AN OFFENSE TO ERECT, INSTALL, ATTACH OR PAINT A SIGN ON ANY STRUCTURE OR AWNING VALANCE WITHIN THE CITY WITHOUT FIRST SUBMITTING THE DETAILS THEREOF TO THE BOARD OF SUPERVISING ARCHITECTS AND SECURING ITS APPROVAL THEREOF; PROHIBITING ANY SIGN UPON ANY BUILDING OR STRUCTURE UNLESS THE FRONT FACE OF SUCH SIGN IS PARALLEL TO THE FACE OF THE BUILDING AGAINST WHICH IT IS PLACED; ESTABLISHING REGULATIONS CONCERNING ILLUMINATED SIGNS AND DISPLAYS AND THE SOURCE OF LIGHT THEREOF; REGULATING THE NUMBER OF CERTAIN ADVERTISING SIGNS ON STORE BUILDINGS OR STORE UNITS; ESTABLISHING REGULATIONS FOR SIGNS PAINTED ON AWNING VALANCES; REQUIRING PERMITS FOR THE ERECTION, INSTALLATION OR PAINTING OF ANY SIGN WITHIN THE CITY; DEALING WITH ADVERTISING SIGNS EXPOSED TO VIEW FROM A PUBLIC STREET ON LOTS OR PARCELS OF LAND WHICH BY TERMS OF A DEED, CONTRACT FOR DEED, OR ZONING ORDINANCES ARE ZONED FOR RESIDENTIAL PURPOSES; PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY IN CASE OF VIOLATION OF THE TERMS HEREOF; AND DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hartnett, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 656.

The City Manager advised the Commission that he had inquired of the Walter Butler Co. as to the cost of making any changes in the specifications of the bus terminal, and had been advised that any such changes requested would be made at cost thereof.

RESOLUTION NO. 3499

A RESOLUTION EXTENDING THE CONTRACT FOR
AMBULANCE SERVICE.

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

That the proper city officers are hereby authorized to enter into a contract with Philbrick Funeral Home for the furnishing of ambulance service within the City of Coral Gables for a period of three years from date hereof at a contract price of one dollar per year.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3500

A RESOLUTION AUTHORIZING PAYMENT OF
ATTORNEY FEES.

WHEREAS, pursuant to a contract entered into by and between the City of Coral Gables and Mr. Warren Lehman, dated March 11, 1948, pertaining to the sale, trade and acquisition of certain lots of the new bus terminal site, the city agreed to pay the reasonable attorney fees incurred by Mr. Lehman in the examination of abstract and rendition of opinion of title to the lots conveyed by the city to Mr. Lehman in this transaction; and

WHEREAS this transaction has now been completed and a bill for attorney fees has been presented;

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

That the payment of a fee of not to exceed \$350 to Knight, Smith, Underwood and Cullen, attorneys for Mr. Warren Lehman in the above described transaction, is hereby authorized.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager advised the Commission that Mr. Sam Harrison and Mr. J. Scott Parsons were leaving the office of Raymond N. Poston, the adjustor for the general public liability insurance of the city. These two men have handled all claims in the city account during the past year, and have rendered very good service. They have requested the city to transfer the adjustment account to them. At the suggestion of Commissioner Hartnett, the matter of changing adjusters was left to the recommendation or desires of the insurance companies involved.

The City Manager stated that Mr. A. O. Renuart had presented his resignation from the Zoning Board inasmuch as he planned to be out of the city for an extended period. The Commission accepted the resignation with regret, and directed the City Manager to express to Mr. Renuart the deep appreciation of the Commission

for his long and faithful service as a member of the Zoning Board.

RESOLUTION NO. 3501

A RESOLUTION FIXING A PUBLIC HEARING UPON
THE PROPOSED BUDGET AND APPROPRIATION
ORDINANCE FOR THE FISCAL YEAR 1950-1951.

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

That a special meeting of the Commission is hereby called and set for 5 o'clock P.M., Friday, June 30, 1950, in the Commission Chamber of the City Hall, for the purpose of holding a public hearing upon the proposed budget and appropriation ordinance for the fiscal year 1950-1951.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3502

A RESOLUTION TRANSFERRING THE SUM OF
\$65,000 TO A SPECIAL RESERVE FOR CAPITAL
IMPROVEMENTS.

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

That the Director of Finance is hereby authorized and directed to transfer the sum of \$65,000 from available unappropriated cash to a special reserve for capital improvements in the Trust and Reserve Fund of the city.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3503

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting May 22, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of warehouse on Lots 22 to 24 inclusive, Block 3, Industrial Section, without a parapet wall, subject to approval of the plans by the Board of Supervising Architects.

2. Permit facing of residence north instead of east on Lots 1 and 2, Block 104, Country Club 5, subject to letters being received from affected property owners stating no objections to the change.

3. Permit temporary use for a period of 6 months from date, for operation of a school of dance, of Lot 36, Block 17,

Section L (223 Avenue Minorca), provided that no public dances will be held on such premises and that classes will not be conducted later than 10 o'clock P.M.

4. Permit construction of shop building having no parapet wall on Lots 18 to 21 inclusive, Block 3, Industrial Section, subject to approval of plans therefor by the Board of Supervising Architects.

5. Permit construction of a duplex upon Lot 1, Block 35, Douglas Section, containing 1703 square feet instead of 2000 square feet as now zoned, and facing west on Salzedo Street instead of north on Avenue Menores.

6. Permit construction of filling station on Lots 21 to 25 inclusive, Block 95, Riviera Section, having a flat roof with a continuous parapet around the building and a flat roof canopy with inverted beams over gasoline pumps.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Department of Public Works was directed to notify the operator thereof that the use of side yard at 2728 Ponce de Leon Blvd. for a nursery display would no longer be permitted, inasmuch as the office for this nursery had been moved to a building not adjacent to such display.

At the request of the Zoning Board of Appeals the Commission declared, as a matter of policy, that no credit be given for cellars in securing the square footage of a building.

RESOLUTION NO. 3504

A RESOLUTION AUTHORIZING TRANSFER OF RETAIL PACKAGE STORE LICENSE.

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

That the transfer of retail package liquor store license heretofore issued to Jack Moore d/b/a Moore's Liquor Store, 1612 Ponce de Leon Blvd., to Max F. Hall d/b/a Hall's Liquor Store, at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, subject to cancellation upon receipt of any unfavorable criminal record of the transferee, and subject to the following express conditions which appear as conditions in the bill of sale from Della N. Moore, administratrix, to the transferee above named:

- (a) That the sale of the business by the administratrix be approved by the County Judge of Dade County, Florida; and
- (b) That the transferee secure an extension of the existing lease on the premises for a period of not less than 3 years following expiration of the current lease.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 657

AN ORDINANCE VACATING THE ALLEY IN
BLOCK 135, RIVIERA SECTION PART 9,
CORAL GABLES.

which was read by title and adopted on first reading May 16, 1950, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 657.

RESOLUTION NO. 3505

A RESOLUTION APPROVING A FORM LEASE FOR
OFF-STREET PARKING SITES.

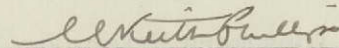
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF
CORAL GABLES, FLORIDA:

That the form lease passed and approved by the City Attorney to be used for leasing sites for off-street parking lots for a period of 99 years, providing that 35% of the revenue from all parking meters on such sites be paid to the owners thereof as rent, be and the same hereby is approved as to form.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

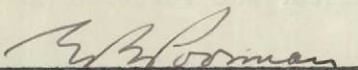
APPROVED:



MAYOR

W. Keith Phillips

ATTEST:



CITY CLERK
E. B. Poorman

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JUNE 20, 1950.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday June 20, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Minutes of the regular meetings of May 16, 1950 and June 6, 1950 were read and approved.

Mr. J. C. Fitzgerald discussed with the Commission the admitted zoning violation by Mr. Gene Headlee in connection with an addition to a residence on Lot 14, Block 4, Section B. Mr. Fitzgerald suggested that Mr. Headlee be required to remove the construction in violation of the ordinance. The City Manager advised that Mr. Headlee had submitted plans for additional construction upon the site that would remove the violation, and the Commission was in favor of permitting correction of the situation in this manner.

The City Manager and Structural Engineer A. Harvey Baxter discussed revisions of the specifications of the new bus terminal to permit a reduction in the cost thereof. The City Manager recommended that all possible alternative plans and specifications that might result in a savings be approved before bids be requested, since bond attorneys had rejected the possibility of changes after bids were received. Mr. Baxter noted numerous changes that could be made to substantially reduce the cost of the building. He was authorized to prepare a formal list of changes that would result in savings and to present the list to the Commission for its approval or disapproval of the various items therein.

The City Manager stated that he had conferred with Mr. F. Burton Smith, President of Consumers Water Co., concerning whether or not the company was for sale at the present time, as had been rumored. He stated that Mr. Smith had advised that no present sale was contemplated and that there was no option to purchase outstanding, and had intimated that the sale price, if considered at all, would be in the neighborhood of \$2,500,000. The matter was referred to the fiscal agents for their recommendation.

The City Manager presented a letter from Mr. Carl Singleton offering his resignation as a member of the Athletic Commission. The resignation was accepted with regret and with an expression of appreciation for Mr. Singleton's faithful service.

RESOLUTION NO. 3506

A RESOLUTION APPOINTING MEMBERS OF THE
ZONING BOARD OF APPEALS.

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

That the appointment by the Mayor of the following
persons as members of the Zoning Board of Appeals of the City
of Coral Gables, is hereby approved:

For terms ending June 30, 1951: Thornton M. Fincher
L. Gordon Walters
Paul A. Mickler

For terms ending June 30, 1952: H. Clay Anderson
J. Allen Brown

Motion for its adoption was made by Commissioner Healy, seconded by
Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" -
Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3507

A RESOLUTION APPOINTING MEMBERS OF THE
BOARD OF SUPERVISING ARCHITECTS AND
STRUCTURAL ENGINEER.

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

That the appointment by the City Manager of the
following named persons as members of the Board of Supervising
Architects and as Structural Engineer of the City of Coral
Gables is hereby approved:

Board of Supervising Architects

For terms ending June 30, 1951: Leroy K. Albert
William H. Merriam
Howard B. Knight

For terms ending June 30, 1952: H. George Fink
Edward T. Rempe, Jr.

Structural Engineer

For term ending June 30, 1951: A. Harvey Baxter

Motion for its adoption was made by Commissioner Healy, seconded by
Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" -
Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The appointment of members of the City Planning and Advisory Board was
discussed, and action was deferred.

RESOLUTION NO. 3508

A RESOLUTION APPOINTING MEMBERS OF THE
ATHLETIC COMMISSION.

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

That the following named persons are hereby appointed
as members of the Coral Gables Athletic Commission for terms ending

June 30, 1951: William C. Hartnett, Harry Morgenthauer, Patrick J. Cesarano, Larry Westerdahl and C. Edwin Roberts.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The Commission agreed to meet in a conference upon the budget for the fiscal year 1950-1951 on Friday, June 23, 1950 at 7:30 P.M.

ORDINANCE

AN ORDINANCE DEALING WITH SET-BACKS IN ALL AREAS WITHIN THE CITY OF CORAL GABLES ZONED FOR C2 OR C3 USES AND PURPOSES; REQUIRING A 10-FOOT SET-BACK IN SUCH CASES; REQUIRING THAT SUCH SET-BACK BE LEFT UNOBSTRUCTED; PROVIDING FOR PENALTY FOR VIOLATION HEREOF; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT OR INCONSISTENT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk advised that the present public liability-property damage insurance on city buses would expire June 30, 1950. The Commission directed that letters inviting proposals for such insurance be sent to all insurance agencies licensed by the City of Coral Gables, for proposals to be presented to the City Clerk not later than 10:00 o'clock A.M., Wednesday, June 28, 1950.

RESOLUTION NO. 3509

A RESOLUTION SETTING A DATE FOR THE NEXT REGULAR MEETING OF THE COMMISSION.

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

That inasmuch as the date of the next regular meeting of the Commission falls upon July 4th, a holiday, the next regular meeting of the Commission is hereby set for 8:00 o'clock, P.M., Wednesday, July 5, 1950.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3510

A RESOLUTION MAKING APPROPRIATIONS FOR PURPOSES DESCRIBED HEREIN.

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

1. That there is hereby appropriated from the Special Benefit Fund, from available funds on hand arising

from the collection of a 5% admissions tax as established by Ordinance No. 556, and from unincumbered balances remaining in the special appropriation accounts for the fiscal year ending June 30, 1950, to the several appropriation accounts for said fiscal year as herein described, the following amounts:

ACCOUNT	TO (FROM)
Trust Fund Special Benefit Reserve	(\$1,353.69)
Athletic Commission Revenue-	
Admissions Tax	(1,636.50)
2540 Parks Department	(3,841.11)
2515 Public Works & Inspection	(400.00)
2545 Streets Department	3,841.00
2573 Athletic Commission	1,636.50
2571 Hurricane Expense	1,353.69
2520 City Hall	400.00

2. That the Director of Finance is hereby authorized and directed to allocate the departmental appropriations and transfers hereby made to and among the items within the departments as established by the budget or by accounting changes and practice for the said fiscal year as needed; and to transfer unincumbered balances of any items within departments to other items within the same department where the balance is insufficient.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3511

A RESOLUTION APPROPRIATING FOR CURRENT EXPENDITURES FOR OPERATION OF THE CITY BETWEEN JULY 1, 1950 AND THE DATE OF ADOPTION OF THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 1950-1951.

WHEREAS Section 32 of the city charter prohibits passage of the appropriation ordinance for the fiscal year commencing July 1, 1950, sooner than one week after the beginning of the said fiscal year; and

WHEREAS it is necessary that city functions continue without interruption, and the City Manager has recommended in writing that an appropriation be made for the current expenses of the city, chargeable to appropriations for the year 1950-1951 when passed, to an amount sufficient to cover the necessary expenses of the city until an annual appropriation is in force.

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

That there is hereby appropriated an amount sufficient to cover the necessary expenses of the city from July 1, 1950 until the annual appropriation ordinance for the fiscal year 1950-1951 is in force, such appropriation to be charged to the appropriations for the year 1950-1951 when passed.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3512

A RESOLUTION AUTHORIZING TRANSFER OF
RETAIL BEVERAGE STORE LICENSE.

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

That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14 percent of alcohol by weight for consumption on the premises heretofore issued to John Moussios d/b/a Leo's Delicatessen and Sandwich Shoppe, 50 Avenue Aragon, to John Valditara doing business under the same name and at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto, and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3513

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting June 12 and special meeting June 20, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit facing of residence north on Blue Road instead of east as now platted on Lots 18 and 19, Block 62, Riviera Section Part 1.
2. Permit construction of residence containing 2000 square feet of floor area on Lots 1 and 2, Block 19, Riviera Section Part 1.
3. Permit construction of garage on Lot 3, Block 112, Country Club Section 5, in connection with residence presently existing on Lots 1 and 2 in said block, provided that the owners execute a restrictive covenant to the effect that said property will not be divided in the future.
4. Permit construction of restaurant and hotel on Lots 13 to 17 inclusive, Block 1, Biltmore Section, having a 5 foot setback from Biltmore Way and a 5 foot setback from Cardena Street, with no setback on the alley to the west, provided that there shall be no entrance to said restaurant on Biltmore Way.
5. Permit construction of residence on Lots 16 and 17, Block 51, Riviera Section, having a 15 foot setback from Donatello Street.
6. Permit construction of a duplex on Lot 13, Block 4, Section B, facing east on LeJeune Road instead of south on Avenue Alcazar.

7. Permit construction of residence on Lots 1 and 2, Block 60, Riviera Section, Part 1, facing north on Blue Road instead of east on San Amaro Drive.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE REQUIRING THE CUTTING OF WEEDS, GRASS, UNDERBRUSH AND THE KEEPING OF PREMISES WITHIN THE CITY OF CORAL GABLES IN GOOD AND SANITARY CONDITION; PROVIDING FOR THE ELIMINATION OF INSANITARY CONDITIONS BY THE CITY AND THE IMPOSITION OF A SPECIAL TAX AND LIEN TO COVER THE COSTS THEREOF; PRESCRIBING THE PROCEDURE TO BE FOLLOWED IN THE IMPOSITION OF THE LIEN AND TAX AND THE COLLECTION OF CHARGES; PROVIDING A PENALTY FOR THE VIOLATION OF CERTAIN PROVISIONS OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Mayes, seconded by Commissioner Hendrick. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

AEA259

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JUNE 30, 1950

The Commission of the City of Coral Gables convened in special session at the City Hall at 4:00 o'clock P.M., Friday, June 30, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

Mr. M. B. Garris appeared before the Commission to discuss the matter of his retention by the city as engineer for the proposed storm and sanitary systems. The City Manager and City Attorney were directed to confer with Mr. Garris to prepare a form of contract for engineering services to be presented to the Commission at a future date.

The City Clerk reported that, as directed by the Commission at its regular meeting June 20, 1950, he had sent letters inviting proposals for furnishing public liability-property damage insurance upon city buses for one year beginning July 1, 1950 to all insurance agencies licensed by the City of Coral Gables, requesting that such proposals be delivered to the City Clerk not later than 10:00 o'clock A.M., June 28, 1950. He advised that only one proposal was received in answer to these letters, and that such proposal was from Coral Gables Insurance Inc.

RESOLUTION NO. 3514

A RESOLUTION AUTHORIZING THE SECURING OF
PUBLIC LIABILITY-PROPERTY DAMAGE INSURANCE
FOR CITY BUSES FOR THE YEAR BEGINNING
JULY 1, 1950.

WHEREAS, letters inviting proposals for furnishing the city with proper public liability-property damage insurance upon city buses for one year beginning July 1, 1950, were sent to all insurance agencies licensed by the City of Coral Gables, and in answer thereto one proposal was received from Coral Gables Insurance Inc.;

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

That the proper city officers are hereby authorized and directed to secure public liability-property damage insurance for city owned and operated buses for the year beginning July 1, 1950, to limits of \$100,000 one person, \$500,000 one accident, public liability; and \$10,000 one accident, property damage; with the New York Casualty Co., through Coral Gables Insurance Inc., local agent, at a premium rate of 5.12% of gross fare receipts for such year.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

At 5:00 o'clock P.M. the meeting was turned over to a public hearing upon the budget and appropriation ordinance for the fiscal year beginning July 1, 1950,

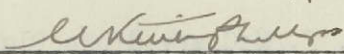
pursuant to directions of Resolution 3501, passed and adopted June 6, 1950, and to notices thereof published in the Coral Gables Riviera-Times on June 16 and 23, 1950.

Approximately 10 residents of the city were present at the hearing. A general discussion was held upon the various items in the proposed budget (which was distributed to those present), and upon the report of the Citizens Tax Committee thereon. The budget as set out in the revised forms of this date was approved, and city officers were authorized to proceed on such basis.

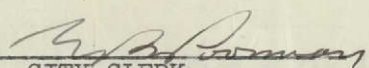
At the conclusion of the discussion Mayor Phillips thanked the citizens present for their interest as shown by their attendance at this hearing.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:


CITY CLERK
E. B. Poorman

AEA259

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JULY 5, 1950

Pursuant to Resolution No. 3509 passed and adopted June 20, 1950, the Commission convened in regular session at 8:00 o'clock P.M., Wednesday, July 5, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

The minutes of the regular meeting June 20, 1950 were approved as read.

RESOLUTION NO. 3515

A RESOLUTION ACCEPTING THE BID OF TROUP BROS. INC. FOR RESURFACING CERTAIN STREETS IN THE CITY OF CORAL GABLES AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

WHEREAS, pursuant to the ordinances of this city the City Clerk had advertised for bids for resurfacing of certain streets within the City of Coral Gables, as more fully described and designated in the plans and specifications furnished therefor and which will be made a part of the contract, and bids therefor were received as follows:

<u>NAME</u>	<u>PRICE PER SQUARE YARD</u>
B. F. McClary d/b/a Black Top Paving Co.	\$.0990
Balcher Oil Company	.0950
Brooks Paving Company	.0935
McFarlin Construction Company	.0885
Troup Bros. Inc.	.0880

AND WHEREAS the bid of Troup Bros. Inc. is low bid and fully meets specifications ordered;

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

1. That the above recited bid of Troup Bros. Inc. is hereby determined to be the lowest and most advantageous bid to the city and is hereby accepted.

2. That the City Manager and City Clerk be and they hereby are authorized to execute a contract with the said Troup Bros Inc. for resurfacing streets as designated in specifications furnished with said bid and which will be made a part of said contract, based upon the above bid and subject to the conditions and provisions of the charter and ordinances of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3516

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-73.

WHEREAS, by Resolution No. 3426 passed and adopted March 7, 1950, the Commission ordered Local Improvement H-73, and by Resolution No. 3437 passed and adopted March 21, 1950, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-73 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3517

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-74.

WHEREAS, by Resolution No. 3427 passed and adopted March 7, 1950, the Commission ordered Local Improvement H-74, and by Resolution No. 3438 passed and adopted March 21, 1950, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-74 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3518

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-75.

WHEREAS, by Resolution No. 3428 passed and adopted March 7, 1950, the Commission ordered Local Improvement H-75, and by Resolution No. 3439 passed and adopted March 21, 1950, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-75 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3519

A RESOLUTION ACCEPTING CONSTRUCTION WORK IN LOCAL IMPROVEMENT H-76.

WHEREAS, by Resolution No. 3429 passed and adopted March 7, 1950, the Commission ordered Local Improvement H-76 and by Resolution No. 3440 passed and adopted March 21, 1950, said improvement was confirmed after public hearing; and

WHEREAS the Commission subsequently authorized the execution of a contract for the street paving in such improvement, and the work covered by said contract has now been completed and the City Manager has reported that the work was done in accordance with specifications and is satisfactory;

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

1. That the paving work done by Troup Bros. Inc. in Local Improvement H-76 is hereby accepted.
2. That the City Manager and Director of Finance are hereby authorized and directed to pay to the said contractor the full contract price.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Mr. R. L. Andrews of the Texas Company appeared before the Commission concerning a request made to the Zoning Board of Appeals on June 26, 1950, for an exception to construct a gasoline filling station on Lots 1 to 4 inclusive, Block 5, Crafts Section. An exception was requested because said site was within 750 feet of an existing filling station at the southwest corner of Coral Way and Douglas Road, which station is not presently in use but the use of which could be resumed under zoning laws.

RESOLUTION NO. 3520

A RESOLUTION AUTHORIZING THE ISSUANCE OF A BUILDING PERMIT FOR A GASOLINE FILLING STATION, SUBJECT TO CONDITIONS PRESCRIBED HEREIN.

WHEREAS, an application has been made for a permit to construct a gasoline filling station at the southeast corner

of Avenue Andalusia and Galiano Street on Lots 1 to 4 inclusive, Block 5, Crafts Section, and said site is within 750 feet of an existing filling station building situated at the southwest corner of Douglas Road and Coral Way, and construction of a filling station at the first named location would be prohibited under the zoning ordinances as long as such filling station exists at the corner of Coral Way and Douglas Road; and

WHEREAS a letter has been received from the owner of the property at Douglas Road and Coral Way stating that the filling station on such property has been abandoned, and that the building will be demolished in the near future to permit erection of a theatre building on such site; and

WHEREAS the said filling station is not now in use as such, and if abandoned there will be no restriction against the erection of a filling station at the corner of Avenue Andalusia and Galiano Street as now requested;

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

That the proper officers of this city are hereby authorized to issue a building permit for the construction of a gasoline filling station on Lots 1 to 4 inclusive, Block 5, Crafts Section, upon receipt by the city of a written instrument executed by Lujacks, Inc., lessee of said property, abandoning use of the property at the southwest corner of Coral Way and Douglas Road as a filling station, said instrument to be approved by the City Attorney.

Motion for its adoption was made by Commissioner Healy seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Mr. Charles H. Crandon, a resident of the county, requesting a letter from the City of Coral Gables to the effect that, in the event of fire at Mr. Crandon's home, the Coral Gables Fire Department would respond. Mr. Crandon stated that such an agreement with the city would materially reduce his insurance rates, and declared that he would be willing to pay the cost of calls to his home by the city fire department. The City Attorney stated that in his opinion the city had no power under its charter to contract to furnish police or fire service outside the city limits.

The City Attorney presented a letter from Mr. W. E. Dunwoodie, Jr., attorney for Mr. Arthur V. Davis, requesting that the city approve a plat relocating a portion of Old Cutler Road. The letter states that Mr. Davis, the owner of the property involved, will execute the dedication of the new right of way and will build a new road in accordance with specifications of Dade County. Mr. Davis also expects and consents to the land lying to the east of the relocated road being included within the city limits of Coral Gables. The present city boundary of the city is the west side of the road as now located.

ORDINANCE NO. 658

AN ORDINANCE APPROVING A PLAT ENTITLED "RELOCATION OF OLD CUTLER ROAD THRU A PORTION OF THE NE $\frac{1}{4}$ OF SEC. 6 TWP. 55 S., RGE 41 E., CORAL GABLES, DADE COUNTY, FLORIDA", AND ACCEPTING AND CONFIRMING DEDICATION OF ROAD CONTAINED THEREIN; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Hendrick, seconded by Commissioner Healy, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 658.

Mr. M. B. Garris discussed with the Commission a contract retaining him as engineer for the proposed sanitary and storm sewer systems. The City Attorney presented a draft form of contract which was discussed at length. Inasmuch as changes therein were suggested by the Commission, the matter was deferred. At the conclusion of the discussion, however, the Commission authorized the City Manager, City Attorney and Mr. Garris to negotiate with the University of Miami for a site for the disposal plant for the sanitary sewer system upon land owned by the university.

ORDINANCE NO. 659

AN ORDINANCE APPROVING A PLAT ENTITLED "F. H. DUNBAR TRACT, A SUBDIVISION OF A PORTION OF BLOCK 114, CORAL GABLES, BISCAYNE BAY SECTION PART 1, PLAT E, PB. 25 P. 53, AND A PORTION OF THE SW $\frac{1}{4}$ OF SEC. 32.54.41 ALL LYING IN SECTION 32 TOWNSHIP 54 S., RANGE 41 E, CORAL GABLES, DADE COUNTY, FLORIDA", AND ACCEPTING AND CONFIRMING DEDICATION OF ROADS AND AVENUE CONTAINED THEREIN; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY ORDINANCE.

was read by title on first reading. Motion was made by Commissioner Mayes, seconded by Commissioner Hendrick, that the requirement of reading on two separate days be dispensed with and the ordinance be placed on second reading at once. Motion was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon the ordinance was read again in full. Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick, and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 659.

ORDINANCE

AN ORDINANCE TO PROTECT THE HEALTH AND WELFARE OF THE PEOPLE OF THE CITY OF CORAL GABLES, FLORIDA, BY ESTABLISHING RULES AND REGULATIONS FOR PLUMBING AND SANITATION, PROVIDING FOR THE ENFORCEMENT AND ADMINISTRATION THEREOF, AND PROVIDING FOR THE ISSUANCE OF PLUMBING PERMITS AND THE COLLECTION OF FEES FOR SAME, AND PROVIDING FOR THE QUALIFICATION OF AND REGULATING THOSE PERSONS ENGAGED IN OR AT THE PLUMBING AND/OR SEPTIC TANK BUSINESS; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hendrick, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3521

A RESOLUTION APPOINTING MEMBERS OF THE PLANNING AND ADVISORY BOARD.

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

That the appointment by the Mayor of the following persons as members of the Planning and Advisory Board of the City of Coral Gables for a term ending May 1, 1951, is hereby approved: M. B. Garris, Herbert Brown, Denman Fink, S. A. Shikany, R. B. Roberts, Jr., Clyde Higgins and Maurice Connell.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

ORDINANCE NO. 660

AN ORDINANCE DEALING WITH SET-BACKS IN ALL AREAS WITHIN THE CITY OF CORAL GABLES ZONED FOR C2 OR C3 USES AND PURPOSES; REQUIRING A 10-FOOT SET-BACK IN SUCH CASES; REQUIRING THAT SUCH SET-BACK BE LEFT UNOBSTRUCTED; PROVIDING FOR PENALTY FOR VIOLATION HEREOF; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT OR INCONSISTENT HEREWITH.

which was read by title and adopted on first reading June 20, 1950, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by

Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 660.

RESOLUTION NO. 3522

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting June 26, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of 8 foot high CBS wall with a gate at front and rear on Lots 5, 6 and 7, Block 4, Industrial Section, provided that the exposed columns' steel be bricked on the exterior so that it will not show, and provided that the enclosed area will be used only for the storage of vehicles and not for repair or working on vehicles stored therein.

2. Permit construction of filling station having a flat roof with parapet wall on Lots 1 to 4 inclusive, Block 5, Crafts Section.

3. Permit for a temporary period to and including September 30, 1951, the use of Lot 21, Block 15, Crafts Section, by Mr. Frank Gordy as an outdoor nursery display in connection with his office located at 212 Avenue Almeria.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3523

A RESOLUTION PROVIDING FOR THE DEPOSITING
OF 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 Florida National Bank at Coral Gables, the Central Hanover Bank and Trust Company of the City of New York, the Chase National Bank of the City of New York, and the Chemical Bank and Trust Company, New York, be and they are hereby designated as depositories for the monies of the several funds of the City of Coral Gables, Florida, and the Director of Finance, or his duly appointed assistants, be and they are hereby authorized to deposit said monies in any or all of said

depositories upon being adequately secured with collateral as required hereby. Upon making any such deposit, the Director of Finance shall require that the depository file with him or in the name of the City of Coral Gables in the custody of some responsible third party, preferably an established bank or trust company, securities of the United States Treasury or of agencies or corporations of or established by the United States Government, of a par or market value, whichever shall be the lower, equal to or in excess of the amount of monies of the City of Coral Gables on deposit in any such depository; and the Director of Finance is further authorized to release such collateral, or portions thereof, whenever it shall be found that the amount of collateral as defined above is in excess of the deposits secured thereby; provided, however, that the provisions hereof as to the filing of collateral for deposits shall not, until otherwise ordered, apply to monies deposited with the Central Hanover Bank and Trust Company of New York City for the payment of interest coupons or other service of the Issue of July 1, 1944 Refunding Bonds, or of the Issue of January 1, 1937 Refunding Bonds, or to monies deposited in said bank for the payment of dividends upon Tax Participation Certificates of the Issue of January 1, 1937; nor to monies deposited with the Chase National Bank of the City of New York for the payment of interest coupons or other services of the Issue of July 1, 1926 Improvement Bonds, Issue of January 1, 1927 Improvement Bonds, Issue of June 1, 1928 Refunding Bonds, Issue of January 1, 1930 Refunding Bonds, and the Issue of July 1, 1930 Refunding Bonds; nor to monies deposited with the Chemical Bank and Trust Company of New York for the payment of interest coupons or other services of the Issue of December 1, 1925 Permanent Improvement Bonds, and Issue of April 1, 1926 Permanent Improvement Bonds.

2. That such depositories be and they are hereby authorized to make payments from monies of the City of Coral Gables on deposit therein upon and according to checks and drafts of the City of Coral Gables signed by W. T. McIlwain, as City Manager, and countersigned by E. B. Poorman, as Director of Finance; and the said W. T. McIlwain and E. B. Poorman, 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; provided, also, that the City Manager and the Director of Finance are hereby authorized to use a Todd Protectograph check signer for their signatures, in lieu of natural signatures, on such city checks and documents as they may deem advisable, and the depositories herein named are hereby requested, authorized and directed to honor all checks, drafts or other orders for the payment of money drawn in the name of the city upon any of its accounts, including the Tax Participation Certificate Fund Account, and including checks, drafts or other orders for the payment of money drawn to the individual order of any person or persons whose names appear thereon as signer or signers hereof, when bearing or purporting to bear the facsimile signature (by impression of Protectograph check signer) of both of the following:

W. T. McIlwain, City Manager
E. B. Poorman, Director of Finance,

upon being furnished with an impression of such check signer duly certified by the Director of Finance.

3. That the provisions and authorization herein contained shall become effective upon the passage of this resolution and shall supersede all previous authorizations for the signing and countersigning of city checks and other cash instruments, and shall remain in effect until it shall be otherwise ordered by the Commission of the City of Coral Gables.

Motion for its adoption was made by Commissioner Healy, seconded by

Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" -

Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk presented a letter from the law firm of Knight, Smith, Underwood and Cullen, attorneys for Mr. Warren Lehman, in connection with the sale, trade and acquisition of certain lots of the new bus terminal site, requesting the Commission to further consider and review the matter of attorney fees due them as attorneys for Mr. Lehman and to approve payment of the bill as rendered in the amount of \$500.00. The Commission at its meeting of June 6, 1950 had authorized the payment of not to exceed \$350.00 for fees in this respect. No action was taken.

The City Clerk called the attention of the Commission to the fact that the funds of the Athletic Commission of the city would probably become exhausted during the coming month, inasmuch as expenditures for the last fiscal year exceeded the income of the commission. The Clerk advised that Ordinance No. 556, which created the Athletic Commission, provided an admission tax of 5 percent for events falling under the jurisdiction of the Athletic Commission; the ordinance provides that such monies shall be used solely for the purpose of meeting commission expenses and that no requisitions for the expenditure of monies by the commission are to be honored in excess of the amount of funds on hand from that source. The Commission directed the City Clerk to notify the Athletic Commission of the impending exhaustion of its funds, and that no requisitions for expenditures would be honored from the commission over and above the amount of funds on hand as provided in Ordinance No. 556.

ORDINANCE NO. 661

AN ORDINANCE REQUIRING THE CUTTING OF WEEDS, GRASS, UNDERBRUSH AND THE KEEPING OF PREMISES WITHIN THE CITY OF CORAL GABLES IN GOOD AND SANITARY CONDITION; PROVIDING FOR THE ELIMINATION OF INSANITARY CONDITIONS BY THE CITY AND THE IMPOSITION OF A SPECIAL TAX AND LIEN TO COVER THE COSTS THEREOF; PRESCRIBING THE PROCEDURE TO BE FOLLOWED IN THE IMPOSITION OF THE LIEN AND TAX AND THE COLLECTION OF CHARGES; PROVIDING A PENALTY FOR THE VIOLATION OF CERTAIN PROVISIONS OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT HEREWITH.

which was read by title and adopted on first reading June 20, 1950, was read again in full. Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Mayes and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and

ordered its publication as Ordinance No. 661.

RESOLUTION NO. 3524

A RESOLUTION COMMENDING AND THANKING THE CITIZENS TAX COMMITTEE FOR THEIR STUDY AND ASSISTANCE IN THE PREPARATION OF THE 1950-1951 BUDGET.

WHEREAS the Citizens Tax Committee, whose membership consisted of Warner B. Daniels, Chairman, Frank N. Holley, Jr., Rollin Miller, C. Dana Woodman and Donald F. Peck, at the request of the Commission, made a thorough and conscientious study of the operations of the city and of the City Manager's budget estimate for the fiscal year 1950-1951, and presented a full and complete recommendation and report thereon to the City Manager and to the City Commission; and

WHEREAS its analysis of the budget and its recommendations made in respect thereto have been of great value to the city;

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

That this Commission hereby expresses its appreciation to the members of the Citizens Tax Committee for the time and effort expended by them in the analysis and study of the budget estimate for the fiscal year 1950-1951, and for their assistance and recommendations concerning the final adoption of the budget for such fiscal year.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

The City Clerk informed the Commission that a draft form ordinance authorizing the issuance of revenue certificates for the construction of the new bus terminal had been received from the law firm of Chapman and Cutler, and that conferences were presently being held between the city officers and the fiscal agents of the city concerning the final form of such ordinance.

RESOLUTION NO. 3525

Some twenty-five years ago, Charles Sewell Robertson came to the young City of Coral Gables, Florida; and, from the day of his coming he became a real part of its civic, business and social life, giving of himself and of his talents without reservation and to the great betterment of the city and the increased happiness of those with whom he came in contact. As Judge of the Municipal Court of the City, he served for many years with a record of lasting benefit to the city and to its people through his fair, sympathetic and impartial administration of justice and the enforcement of its laws. As a citizen he was continually in the forefront of all movements for the good of the city and its people; as a friend he was ever helpful, sympathetic and understanding.

Almighty God, in His infinite wisdom, saw fit to take away from all of us Judge Robertson, and his taking, the Mayor and the City Commission of the City of Coral Gables, recognize more and more with each passing day as a great and distinct loss.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Commission of the City of Coral Gables that the city give official

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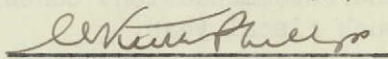
expression of its feeling that in the passing of Charles Sewell Robertson the city and its people have suffered the irreparable loss of an outstanding official and citizen and that the Mayor and the City Commission, personally, give expression to their sense of great personal loss.

BE IT FURTHER RESOLVED, that this resolution be spread upon the official and permanent records of the city and a certified copy be sent to his widow as a token of appreciation by the City of Coral Gables, Florida of Judge Robertson's splendid official services and as a personal testimonial of the Mayor and the City Commission of their affection for him and their feeling of real personal loss.

Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

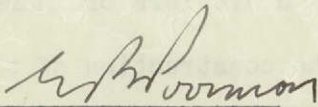
APPROVED:



MAYOR

W. Keith Phillips

ATTEST:



CITY CLERK

E. B. Poorman

7-5-50

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JULY 11, 1950

The Commission of the City of Coral Gables convened in special session at the City Hall at 10:00 o'clock A.M., Tuesday, July 11, 1950. Mayor Phillips in the Chair; Commissioners Hartnett, Healy, Hendrick and Mayes present.

RESOLUTION NO. 3526

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at a special meeting July 10, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of playhouse on Lots 8 and 9, Block 129, Riviera Section, said playhouse to be of CBS construction with tile roof, to match existing residence on premises, and to have a 35 foot setback from the canal.
2. Permit construction of residence on Lots 1 to 4 inclusive, Block 107, Country Club Section 5, facing north on Colma Court instead of east on Anderson Road as now zoned.

Motion for its adoption was made by Commissioner Mayes, seconded by Commissioner Hendrick. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3527

A RESOLUTION AUTHORIZING EXECUTION
OF A CONTRACT FOR ENGINEER'S SERVICES.

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

That the City Manager and City Clerk be and they hereby are authorized and directed to execute on behalf of the City of Coral Gables the contract with M. B. Garriss for engineering services in form and substance as follows:

AGREEMENT

THIS AGREEMENT, Made and entered into by and between THE CITY OF CORAL GABLES, Florida, a municipal corporation of the State of Florida, hereinafter referred to as CITY, and M. B. GARRISS, Civil and Consulting Engineer of Dade County, Florida, hereinafter referred to as GARRISS or ENGINEER.

WITNESSETH:

That WHEREAS, the CITY is contemplating building, constructing and installing a sanitary sewer system and a storm sewer system, and will require in connection with them, or either of them, plans, specifications, supervision and advices covering every feature of such proposed projects, including

those things which are necessary in procuring proper and suitable financing, and

WHEREAS, GARRIS is a professional engineer, registered and qualified under the laws of the State of Florida to perform the services and give the advices necessary in connection with such matters, and

WHEREAS, the CITY desires to employ the said GARRIS and the said GARRIS is willing to be employed for these purposes and matters, upon the terms and conditions hereinafter set forth:

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR by each of the parties to the other in hand paid, the receipt of which is hereby acknowledged, and in further consideration of the mutual keeping and performing of the covenants, agreements and undertakings hereinafter set forth, the CITY hereby employs GARRIS to perform certain engineering services hereinafter set forth and agrees to pay for such services in accordance with the terms hereinafter contained, and the said GARRIS agrees to perform such services upon such terms and conditions.

GARRIS agrees to render complete professional engineering services, including but not limited to: preliminary studies and reports, contract drawings and specifications, consulting services during construction, for the construction, building and installation of the sanitary sewerage system and a storm sewerage system for the following fees:

Preliminary studies and reports	1.125%
Contract drawings and specifications	1.875%
Consulting services during construction	1.50%

All of these as defined, set forth and described in the schedule of minimum engineering fees prepared by the "Professional Engineers Association of Southeast Florida under date of the year 1949". These services mentioned above and the compensation therefor, shall be upon a basis of estimated cost of the construction and the time and amount of payments shall be as hereinafter set forth.

Provided, however, that the total fee to be paid GARRIS for complete professional services as set forth above shall not be less than nor more than $4\frac{1}{2}\%$ of the total actual cost of construction of all work outlined under this agreement.

In addition to the above, GARRIS will furnish:

Resident supervision of construction including laying out of work, analysis of temporary structures and facilities, field supervision, field inspection of materials and work progress reports, preparation of monthly and final estimates and final report for a fee of 1%; this fee shall be computed upon the basis of the actual cost of finished construction.

The fee of 1.50% for "Consulting services during construction" and the fee of 1% for "Resident supervision, including layout of work, etc.", as outlined above, shall be based upon the actual cost of the work, and these fees shall be paid the ENGINEER monthly, based upon estimates of the contractor for work done during the preceding month.

It is mutually agreed by the parties that after preliminary studies and reports have been made and furnished to the CITY of CORAL GABLES, that any additional work shall be solely at the option of the CITY and that the CITY shall be the sole judge as to whether or not it will proceed with the services of GARRIS after such preliminary studies and reports have been made.

It is mutually agreed by and between the parties that after the contract drawings and specifications have been furnished to the CITY and they have been approved by the City Commission of the CITY, GARRIS shall be paid the fee therefor and at the time payment is made to GARRIS for this work that the CITY shall receive from GARRIS a credit in the amount of Fifteen Thousand Two Hundred Twenty-seven (\$15,227.00) Dollars for monies which have already been paid GARRIS for engineering

work previously performed in preliminary studies and reports and work performed in connection with proposed sewer systems of the CITY.

It is further mutually agreed, that should the CITY, at its option, not complete the work of construction of either project, that the engineering fees due GARRIS will be calculated on the basis of an engineering estimate of costs of construction, up to the time of stoppage of work. Further, if at the option of the CITY, the engineering work shall be stopped at any time prior to actual completion of construction, fees then due GARRIS shall be set by mutual agreement, if possible, based on a proper proportion of the fees which would be due for the completed portion of the work as outlined hereinabove.

It is further mutually agreed between the parties hereto that should CITY deem it advisable, or necessary, that the services of nationally known consulting engineers be had and obtained in connection with the sanitary sewer project contemplated herein, that GARRIS shall employ and shall pay the fees and charges of such consulting engineers and their services shall be furnished without cost or expense to the CITY; such nationally known consulting engineers, however, must be acceptable to and approved by the CITY.

It is further understood and agreed by and between the parties hereto that if, at any time, CITY and GARRIS are unable to agree on estimated costs, such question of costs of the project, or projects, will be submitted to a Board of Arbitration. The parties agree that in the event of such differences either may give to the other, in writing, a notice of its intention to submit to Arbitration and, in that notice name its Arbitrator; the party so notified, shall, within five (5) days furnish to the other party, in writing, the name of its Arbitrator and, failing so to do within that period the other party may have such Arbitrator named by any Circuit Judge sitting in Dade County; the two Arbitrators so chosen shall thereupon select a third and the Board, so chosen shall immediately proceed to hear the matter and shall render its decision which, the parties agree shall be final and binding upon them. Each of the Arbitrators provided for herein must be a qualified professional engineer, registered under the laws of this state; the parties further agree in connection with this Arbitration that they will make their difference or differences a rule of court as provided for in the Statutes of the State of Florida.

It is further understood and agreed by and between the parties that this is a personal contract between the CITY and GARRIS; that it is the services of GARRIS himself which the CITY is hiring; that in the event GARRIS should become deceased or, for any other reason, incapable of performing the high degree of professional services required by the CITY, that the CITY may, at its option, terminate the contract. In that event, the question of compensation, if impossible of agreement between the parties or the personal representatives of GARRIS, shall be decided by arbitration as hereinabove set forth.

The CITY agrees to pay the ENGINEER a sum not to exceed Ten Thousand (\$10,000.00) Dollars at the time preliminary studies and reports are furnished for the revised sewer system, including its disposal plant; any other funds due the ENGINEER are to be paid within thirty (30) days after the sale of revenue certificates covering and embracing the appropriate project, or after the sale of any other evidence or indebtedness by the CITY in connection with the financing of the construction of either or both projects.

It is further mutually agreed between the parties hereto that should the CITY fail to sell revenue certificates or other evidences of indebtedness for the construction of sanitary and storm sewer systems in the City of Coral Gables, Florida, that any and all fees due GARRIS for services rendered shall be based upon the fee percentages as above set forth and shall be paid GARRIS within twelve (12) months from the date of this agreement.

IN WITNESS WHEREOF, the CITY has caused these presents to be executed by its City Manager, attested by its City Clerk, and its Corporate Seal affixed, all with due and proper authority, and M. B. GARRIS has hereunto set his hand and seal, all at Coral Gables, Florida, this 11th day of July, 1950.

Motion for its adoption was made by Commissioner Hendrick seconded by Commissioner Mayes. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Hendrick, Healy and Mayes; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3528

A RESOLUTION APPROVING THE RETENTION OF CONSULTING ENGINEERS.

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

That the recommendation of Engineer M. B. Garris that the firm of Smith and Gillespie of Jacksonville, Florida, be retained by him as consulting engineers in connection with the treatment and disposal plant for the sanitary sewer system, be and the same hereby is approved and accepted.

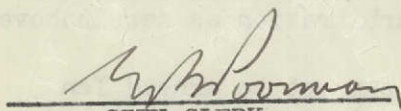
Motion for its adoption was made by Commissioner Hendrick, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett, Healy, Hendrick and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:


CITY CLERK
E. B. Poorman

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JULY 12, 1950

Pursuant to call upon the written request of the Mayor, after notice duly served upon and received by each Commissioner of the City of Coral Gables, the Commission convened in special session at the City Hall at 10:00 o'clock A. M., Wednesday, July 12, 1950. Mayor Phillips in the Chair, Commissioners Hartnett, Healy and Mayes present. Commissioner Hendrick absent.

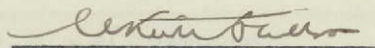
ORDINANCE

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF OPERATING OF THE CITY OF CORAL GABLES AND ITS INCOME PRODUCING PROPERTIES, AND FOR PAYMENTS UPON DEBT SERVICE, FOR THE FISCAL YEAR COMMENCING JULY 1, 1950; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

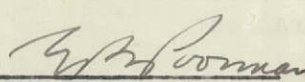
was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Mayes. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett, Healy and Mayes; Mayor Phillips. "Nays" - None.

There being no other business the meeting was adjourned.

APPROVED:


MAYOR
W. Keith Phillips

ATTEST:


CITY CLERK
E. B. Poorman

MINUTES OF REGULAR MEETING
OF THE CITY COMMISSION
JULY 18, 1950.

The City Commission of the City of Coral Gables convened in regular session at the City Hall at 8:00 o'clock P.M., Tuesday, July 18, 1950. Mayor Phillips in the Chair; Commissioners Hartnett and Healy present. Commissioners Hendrick and Mayes absent.

Minutes of the special meetings of June 30, July 11 and July 12, and of the regular meeting of July 5, were approved as read.

RESOLUTION NO. 3529

A RESOLUTION AMENDING RESOLUTION 3350.

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

That Section 3 of Resolution 3350 passed and adopted October 25, 1949, be and the same is amended so that said Section 3 shall read as follows:

"3. That the owner of the premises will convey to the city an easement for utility purposes, and for ingress and egress for collection of garbage and trash, in a 15 foot strip of land running easterly and westerly on the premises, from Nervia Street, at such exact location as shall be approved by the City Manager."

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3530

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its special meeting July 18, 1950 has recommended that the following exception to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exception to the provisions of Ordinance No. 271 be and the same hereby is granted:

1. Permit construction of building on Lots 5 and 6, Block 28, Section K, for storage of cars only, said building to have exit to alley and to adjacent building, and to be later converted to stores.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3531

A RESOLUTION AUTHORIZING EXCEPTIONS
TO ORDINANCE NO. 271, KNOWN AS THE
"ZONING ORDINANCE".

WHEREAS, the Zoning Board of Appeals at its regular meeting July 10, 1950 has recommended that the following exceptions to the provisions of Ordinance No. 271, known as the "Zoning Ordinance", be granted;

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

That the following exceptions to the provisions of Ordinance No. 271 be and the same hereby are granted:

1. Permit construction of building on Lots 27 to 33 inclusive, Block 1, Golden Gate Section, containing 221 cubic feet per front foot and having a 10 foot setback from Dixie Highway instead of 25 feet as now zoned, provided that the owner straighten the existing wall on said premises and put a coping on the top thereof.
2. Permit construction of residence on Lot 11, Block 94, Country Club 5, having a setback of 5 feet from the west property line and having a 20 foot front setback instead of 25 feet as now required.
3. Permit construction of CBS tile roof building approximately 10 x 12 feet to house a pump, garden tools and fertilizer, upon SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18-55-41, also known as Blocks 14 and 15, of Avacado City as shown on plat of Avacado Land Co. Subdivision, Plat Book 2, Page 44.
4. Permit construction of 12 foot high chain link wire fence on the northwest corner of the property, on Lots 4 and 5, Block 97, Country Club 5.
5. Permit existing wire fence on east side of Lots 26, 27 and 28, Block 20, Flagler Section.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

The Commission discussed Resolution 3526 passed and adopted July 11, permitting construction of a CBS tile playhouse on Lots 8 and 9, Block 129, Riviera Section. The City Manager was instructed to write a letter to the owner of such property emphasizing that the playhouse building would not be permitted to be used for any other use in the future.

The City Manager recommended the purchase of four 40-passenger Model 41-S Twin Coach buses for the city transportation system, declaring that the prices for such buses were in line with competitive makes of buses, and stated that he recommended purchase of additional Twin Coach equipment because of the proven lower maintenance and operation cost thereof.

RESOLUTION NO. 3532

A RESOLUTION AUTHORIZING THE PURCHASE OF
FOUR TWIN COACH BUSES.

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

That the City Manager is hereby authorized to purchase on behalf of the city, four 40-passenger Twin Coach buses, Model 41-S, less tires and heaters but including all extras supplied as on previous purchases, at a price of \$14,909 each, f.o.b. Kent, Ohio.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

The City Manager recommended the placing of an order for four 32-passenger Marmon Herrington buses which were obtainable at a price of \$8600 each, f.o.b. Coral Gables, subject to the right to cancel said order within 10 days. The City Manager stated that he deemed it advisable, because of the materials situation, to place such order without delay. He stated that he was negotiating with several firms which might have used 34-passenger Twin Coach buses for sale, and that a definite answer in this respect should be received within the 10-day cancellation privilege period. He recommended that if such used Twin Coaches were available and satisfactory, they be purchased instead of Marmon Herrington buses.

RESOLUTION NO. 3533

A RESOLUTION AUTHORIZING PURCHASE OF FOUR
MARMON HERRINGTON BUSES.

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

That the City Manager is hereby authorized to purchase on behalf of the city, four Marmon Herrington 32-passenger buses Model 8M2B, at a price of \$8600 each, f.o.b. Coral Gables, said buses to be fully equipped as per demonstrator bus, less tires, subject to the right of the city to cancel said order without further liability within 10 days after this date.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

Mr. Harvey Baxter appeared before the Commission with recommendations concerning revisions of the plans and specifications of the new bus terminal to permit a substantial reduction in the cost thereof, in accordance with the authorization of the Commission made at the June 20, 1950 meeting. Mr. Baxter's recommendations were as follows:

1. Substitute bar joists for concrete roof.
2. Use 12 inch block for concrete fins in stores.
3. Revision of footings, columns and tie beams.
4. Reduce width of bus platform 20 feet.
5. Eliminate one row of columns on bus platform.
6. Redesign roof.
7. Redesign miscellaneous ornamental iron installations.
8. Eliminate all terrazzo floors except in restaurant area.
9. Revision of glass, glazing and caulking specifications.
10. Redesign electric layout.
11. Eliminate all air conditioning equipment except in restaurant, and for remainder of building provide cooling water drain, electric and ducts for individual store units.
12. Eliminate Tennessee stone.
13. Eliminate tile on columns and bus platform.
14. Lower building height 3 feet.
15. Lower cantilever from 12 feet to 10 feet.

Mr. Baxter stated that the recommended changes, if incorporated into the plans and specifications, should bring the estimated cost of the building to approximately \$233,644.

The Commission approved the recommendations of Mr. Baxter as above recited, and directed the City Manager to prepare a list of such revisions and to instruct the architect to make the necessary resulting changes in plans and specifications of the bus terminal.

The City Clerk reported that negotiations were going on with bond attorneys in connection with the form of revenue certificate ordinance, and that it was hoped that such ordinance would be available for action at the next meeting of the Commission.

ORDINANCE NO. 662

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, 1950; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

which was read by title and adopted on first reading July 12, 1950, was read again in full. Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and

ordered its publication as Ordinance No. 662.

ORDINANCE

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1950 AND ENDING JUNE 30, 1951; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSES OF SERVICING THE DEBT AND MEETING THE OPERATING REQUIREMENTS; PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS OF THE SEVERAL LEVIES; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE LEVYING A TAX FOR THE YEAR BEGINNING JULY 1, 1950 AND ENDING JUNE 30, 1951 FOR THE PURPOSE OF DEFRAYING EXTRAORDINARY EXPENSES RESULTING FROM STORM, HURRICANE, AND/OR OTHER ACTS OF GOD; PROVIDING FOR THE PAYMENT OF THE PROCEEDS OF SUCH TAX INTO THE "SPECIAL BENEFITS FUND" AND FOR THE DISBURSEMENT THEREFROM; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

was read by title on first reading. Motion for its adoption on first reading was made by Commissioner Hartnett, seconded by Commissioner Healy. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3534

A RESOLUTION CALLING A SPECIAL MEETING OF THE CITY COMMISSION.

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

That the City Clerk be and he hereby is directed to call a special meeting of the Commission to be held at 10:00 o'clock A.M., Saturday, July 22, 1950, for the purpose of considering and passing upon second reading the necessary ordinances for the levy of taxes within the City of Coral Gables for the year 1950.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3535

A RESOLUTION AUTHORIZING TRANSFER OF
LICENSES.

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

1. That the transfer of retail beverage store license permitting sale of alcoholic beverages containing not more than 14 percent alcohol by weight for consumption on the premises heretofore issued to Arthur Brown d/b/a Gables International Center, 1829 Ponce de Leon Blvd., to Dennis Murphy d/b/a Dennis Murphy Drugs at the same address, is hereby approved, subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

2. That the transfer of beverage vendor's license permitting sale of alcoholic beverages containing not more than 14 percent of alcohol by weight for consumption off the premises heretofore issued to Merle Mallion d/b/a Paragon Sundries, 5132 S. W. 8th Street, to William T. Forsyth, doing business at the same address, is hereby approved subject to compliance with all regulatory ordinances in respect thereto and subject to cancellation upon receipt of any unfavorable criminal record of the transferee.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

The City Manager presented a letter from Mr. Robert H. Cook, one of the fiscal agents of the city, concerning conversations he had had with Mr. Marshall Dancy of Shields and Company, New York, regarding the Consumers Water Company. The Commission directed that the matter be referred to the fiscal agents for further study, and instructed the City Manager to notify the fiscal agents that the city would be interested in purchasing the water company if the same could be purchased at a reasonable price and if the city can be protected in the event of a negotiated sale of bonds in payment for company assets.

RESOLUTION NO. 3536

A RESOLUTION RATIFYING CERTAIN RESOLUTIONS
HEREIN DESCRIBED.

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

That Resolution 3527 passed and adopted July 11, 1950 and authorizing execution of a contract with M. B. Garris for engineering services, and Resolution 3528 passed and adopted July 11, 1950 and approving the retention of consulting engineers, be and the same hereby are ratified confirmed and approved in all respects.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" -

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Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

RESOLUTION NO. 3537

A RESOLUTION ACCEPTING AND CONFIRMING THE
TAX ROLL FOR THE YEAR 1950.

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

That the 1950 Tax roll of the City of Coral Gables as prepared and assessed by the city tax assessor and as adjusted by the City Commission of this city, sitting as a Board of Equalization pursuant to charter provisions, is hereby accepted and confirmed as a basis of levying for ad valorem taxes for the year 1950.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays"- None.

RESOLUTION NO. 3538

A RESOLUTION DISCLAIMING ANY INTEREST IN
A CERTAIN DESIGNATED LOT BECAUSE OF SIDE-
WALK ENCROACHMENT.

WHEREAS a survey of Lot 12 Block 16, Section A, according to the plat thereof filed in Plat Book 5, Page 102, of the Public Records of Dade County, Florida, prepared by J. B. Ford, registered land surveyor, reflects that the sidewalk along the westerly side of Cordova Street is located upon said Lot 12 and encroaches thereon in its entirety;

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

That the City of Coral Gables hereby disclaims any right, title, interest or claim in and to said Lot 12, Block 16, Section A, Coral Gables, arising or existing by any reason of encroachment of sidewalk on said lot, as above recited.

Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

ORDINANCE

AN ORDINANCE ENACTING AND ADOPTING A NEW
CODE OF ORDINANCES FOR THE CITY OF CORAL
GABLES, FLORIDA, TO BE KNOWN AS "THE POLICE
AND TRAFFIC CODE OF THE CITY OF CORAL GABLES,
FLORIDA"; ENUMERATING AND DEFINING NUMEROUS
OFFENSES AGAINST THE CITY OF CORAL GABLES,
FLORIDA, AND PRESCRIBING PENALTIES FOR THE
VIOLATION THEREOF; REPEALING ALL OTHER
ORDINANCES IN CONFLICT HEREWITH INSOFAR AS
THERE IS CONFLICT.

was read by title on first reading. Motion for its adoption on first reading was

made by Commissioner Healy, seconded by Commissioner Hartnett. Ordinance was adopted on first reading by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

A discussion was held as to an ordinance regulating the amount and style of clothes worn by persons in public places and on public streets, and the matter was referred to the City Attorney.

RESOLUTION NO. 3539

A RESOLUTION AUTHORIZING A COMPROMISE
SETTLEMENT OF A TAX CLAIM.

WHEREAS an audit of the records of the Dri Gas Co. has disclosed that for the period up to March 1, 1950 the said company has been billing and collecting the Coral Gables Utilities Excise Tax at the rate of 1% instead of 10% as required; and

WHEREAS it appears that this action on the part of the company was not due to willful disregard of the law, and it appears that extenuating circumstances are present because of various changes in ownership and management of the said company during the period in question;

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

That the offer of the Dri Gas Co. to settle in full its liability to the City of Coral Gables for Utilities Excise Tax upon sales of gas within the City of Coral Gables by said company to March 1, 1950, for the amount of \$400.00 payable \$100.00 this date and \$100.00 on the 17th of August, September and October, 1950, be and the same hereby is accepted and the Director of Finance is directed to release said company from any and all claims for Coral Gables Utilities Tax for said period on payment of the full amount of \$400.00.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

The City Attorney reported that he was encountering difficulty in securing leases upon identical and uniform terms from the owners of potential off-street parking sites, but stated that he would present individual leases as he was able to negotiate the same to the Commission for its approval at some future date.

The City Attorney discussed with the Commission the foreclosure of Lots 1 and 2, Block 4, Katie Biscayne Section, and the offer of the owner thereof to sell the same to the city. The two lots lie entirely within the paved right of way of Ponce de Leon Blvd. at LeJeune Road.

RESOLUTION NO. 3540

A RESOLUTION AUTHORIZING PURCHASE OF RIGHT OF WAY.

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

That the City Attorney is hereby authorized to secure a deed to the city for Lots 1 and 2, Block 4, Katie Biscayne Section, which said lots lie entirely within the paved right of way of Ponce de Leon Blvd., and to clear the title to said right of way thereby, at a price not to exceed \$2000, which said amount is hereby appropriated from the General Contingent Fund of the city.

Motion for its adoption was made by Commissioner Hartnett, seconded by Commissioner Healy. Resolution was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy; Mayor Phillips. "Nays" - None.

The City Attorney advised that he had received a complaint concerning the operation of a day school at the Hillel House, 3306 Ponce de Leon Blvd. He was directed to write the Director of such school, Dr. Donald Michaelson, informing him of the violation of zoning laws involved and requesting that other arrangements be made for the holding of such school.

There being no other business the meeting was adjourned.

APPROVED:

W. Keith Phillips
MAYOR
W. Keith Phillips

ATTEST:

E. B. Poorman
CITY CLERK
E. B. Poorman

MINUTES OF SPECIAL MEETING
OF THE CITY COMMISSION
JULY 22, 1950.

Pursuant to call upon the written request of three members of the City Commission, as evidenced by Resolution 3534 passed and adopted July 18, 1950, and after notice duly served upon each Commissioner of the City of Coral Gables, the Commission convened in special session at the City Hall at 10:00 o'clock A.M., Saturday, July 22, 1950. Mayor Phillips in the Chair; Commissioners Healy and Hartnett present. Commissioners Hendrick and Mayes absent.

ORDINANCE NO. 663

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1950 AND ENDING JUNE 30, 1951; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSES OF SERVICING THE DEBT AND MEETING THE OPERATING REQUIREMENTS; PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS OF THE SEVERAL LEVIES; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

which was read by title and adopted on first reading July 18, 1950, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy, Mayor Phillips. "Nays" - None.

Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 663.

ORDINANCE NO. 664

AN ORDINANCE LEVYING A TAX FOR THE YEAR BEGINNING JULY 1, 1950 AND ENDING JUNE 30, 1951 FOR THE PURPOSE OF DEFRAYING EXTRAORDINARY EXPENSES RESULTING FROM STORM, HURRICANE, AND/OR OTHER ACTS OF GOD; PROVIDING FOR THE PAYMENT OF THE PROCEEDS OF SUCH TAX INTO THE "SPECIAL BENEFITS FUND" AND FOR THE DISBURSEMENT THEREFROM; AND PROVIDING FOR THE SEPARABILITY OF THE PROVISIONS HEREOF.

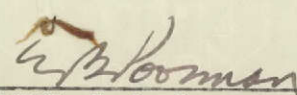
which was read by title and adopted on first reading July 18, 1950, was read again in full. Motion for its adoption was made by Commissioner Healy, seconded by Commissioner Hartnett and the ordinance was adopted by the following roll call: "Yeas" - Commissioners Hartnett and Healy, Mayor Phillips. "Nays" - None.

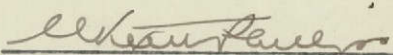
Thereupon Mayor Phillips declared the ordinance passed and adopted and ordered its publication as Ordinance No. 664.

There being no other business the meeting was adjourned.

APPROVED:

ATTEST:


CITY CLERK E. B. Poorman


MAYOR
W. Keith Phillips

7-22-50

AEA259

MINUTES OF THE BOARD OF DIRECTORS
OF THE COMPANY
Held at ...

Present: ...
The Chairman of the Board ...
The Board ...
Resolved ...

AGENDA

- 1. ...
- 2. ...
- 3. ...
- 4. ...
- 5. ...

Resolved ...
The Chairman ...
The Board ...

Resolved ...

AGENDA

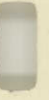
- 1. ...
- 2. ...
- 3. ...
- 4. ...
- 5. ...

Resolved ...
The Chairman ...
The Board ...

Resolved ...

Resolved ...

AEA259



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AEA259

12/24

AEA259

