

**City of Coral Gables City Commission Meeting
Agenda Item F-1
December 11, 2012
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner Frank Quesada

City Staff

City Manager, Patrick Salerno

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

City Architect, Carlos Mindreau

Planning and Zoning Director, Ramon Trias

Public Speaker(s)

F-1 [Start: 12:20:41 p.m.]

Board of Architects Selection Process and Strengthening the Role of City Architect
Commissioner Maria Anderson

Mayor Cason: City Commission Items, the first on is F-1, Commissioner Anderson’s item.

Commissioner Anderson: Yes, please and if I could also get staff to bring Mr. Mindreau, City Architect, I asked for him to be here please. Thank you very much. And the City Clerk is putting out something, an additional piece of information for you there. Are we all here? I want to give you a little background, personal background on this issue. I originally opposed this, the issue of changing the Board reporting structure, I opposed it twice, but I did change my mind and within the body of the presentation I will share with you why, and I’m humble enough to realize that if I’m in error or situations change which in this case it has, I’m willing to take a stand and reverse myself; and the reason I asked Commissioner Cabrera for a noticed meeting was because he had

brought it up and I wanted to have input from him in an atmosphere where we could just talk. As you well have hopefully read the minutes and the discussion that we had. I'm going to tell you stuff you already know, but I'll do it anyway because that's part of my presentation. Coral Gables is a City as we well know that prides itself on a lot of things – the built, and the natural environment, the tree lined streets, the historic fabrics, the quality design, the strong building codes, and the beautiful residential areas; and Mr. Merrick was a genius, he didn't just design in one style he designed in many. Although it was a Mediterranean-inspired City, he had a lot of other plans that didn't get funded, but we have Italian villages, we have French villages, we have a Chinese village, Merrick and Colonial village, and a host of others that never got done because of the economics, but he was a man of broad thinking and I'm sure that's the heritage that we have now. Now the two issues before you that I'm going to present to you are the Board of Architects reporting structure. Right now the Board of Architects reporting structure is by the City Manager. The City Architect then, not as much now, recommends candidates to the City Manager and he basically does all the appointments. I do believe that needs to change. I've been approached by members of the design community and also by the members of the development community and they are being told, not by the City Architect, that they are being forced to design in a certain way. In Mediterranean style you basically, if you don't design it one way you don't design it at all, that kind of threat is not welcome, at least in my opinion, and is causing quite a problem within the community as far as on the Board of Architects and on the designers and developers. It's basically freedom of expression and creativity within the parameters of our Code, and you tell people what they can design or not is not only improper, but it's just really shortsighted. So my idea is that vision is the prerogative of the City Commission and right now people who are studying the vision – I can't see you Frank, see your face, no, no, it's OK – design of the built environment is a policy issue by the City Commission. The way the City grows whether it's the built environment, and the budgetary environment, whatever it is, it's ours, and I believe that we need to take that back. What I propose on the Board of Architects issue was that we take five Board appointments and the City Manager gets one, and the Board appoints another, and it becomes as the same as the other Boards. I do believe that the way the City is being run right now unfortunately it's a good idea, I think it might have been a good idea back then, but it's definitely a good idea now to have some thoughts over it. My original intent was that the Board of Architects shouldn't be politicized, but it is already, so I'm bringing you that forward, that's number one, that we put it in the reporting structure like the other Boards allowing the Manager one appointment and we have the City Architect recommend to the body, us, the Board members that we vote on. The second one is the City Architect, is he here?- OK, great – and he provided very good testimony, he is no longer in charge of the design and developers, not putting words in your mouth and if I'm wrong you are more than welcome to correct me. He used to be involved with the design, with the Board of Architects and the design community, and the builders and developers, many of who contribute to your campaigns, that he no longer does that, our Planning Director does, that's at the direction of the Manager; and you'll

say, well is this something because of the Manager?- absolutely, because I think the City Architect position was always one that was highly valued by Mr. Merrick, Phineas Paist, the Fink brothers were always at the top tier level of design and always headed the Board of Architects. I think that's extremely critical that the architect have a position of independence. Now originally I had it as an appointed Board, but I rethought it and the discussion we had at the meeting was maybe we have a dotted line relationship and I looked at our structure and I propose that our City Architect be in the same, under the City Manager, but an independent position like the office of Internal Audit and Communications, that's how I would restore and strengthen the City Architect's position. I believe making it an appointed position creates all sorts of complications that maybe we don't need to do now, but maybe by putting it in an independent position will be able to accomplish what I think the City Architect needs to have, which is control over the design and the built environment, things of policy that belong to the five of us, not a director being directed from the top. The whole issue of Mediterranean only it's just bad policy and myopic and a narrow view point of maybe one or two people. I encourage you to really support this. I've learned not to worry about it if it doesn't happen, but these are really important things, autonomy, the Commission taking back some of its power back on that Board, and the strengthening of the City Architect is really important, it was a key function in Merrick's time. Commissioner Cabrera do you have anything you'd like to add?

Commissioner Cabrera: Thank you Commissioner Anderson. You know while I support her comments relating to current developments as she articulated, I think I need to take a step back and just tell you all that this is not something that I came up with during the current professional administration, if you recall Vice Mayor Kerdyk, I actually brought this item back when City Manager Brown was here, or it may have been City Manager Menendez, I can't recall exactly, but then I brought it back again a second time during the present professional administration and the reasons for me taking that position back then was, number one, I felt that it was critical for us, the visionaries, to have a direct relationship with a member of the Board of Architects, not a relationship where you come into their meetings every now and then you say hello to them, or make a phone call. I used an example because there were several members of the Board there past and present, and I used an example, there was a time during my term in office where former Mayor Slesnick questioned the color of a building, and it was a very interesting question and I didn't agree or disagree with him, but I wanted to get additional information, so what I had to then do was I spoke to a staff member and learned that it was this particular Board that had made this decision and finally was able to locate a Board member whom I had a relationship with and did not feel as though, I didn't feel as though I was calling him in a threatening manner and he would level with me, learn why they made a decision to paint a building in that color, and that's just one example. I could give you many other examples. Most of my examples stem from coming to the Board of Architect meetings and watching their interaction with the public and developers and other architects; and what I came away with way back then was, I think it's

critical that each member of the Commission have a direct relationship with an appointee of that Board as we have with every single Board that we appoint, because we in fact, to the best of my knowledge, all have an opportunity to appoint someone to a City Board or Committee, and so that's where my thought process stem from years ago and then most recently. After meeting with Commissioner Anderson, actually prior to meeting with Commissioner Anderson, I too hear from good architects, not people that want to work in the City for the first time and build something that's inappropriate. Good architects, people that have been in this community a very, very long time, and these people have expressed to me the same thing. They've expressed their concerns with the way that they are being asked to design. They are very concerned about coming forward, they are concerned about stating publicly their issues because they want to continue to work here. They want to continue to make sure that their projects get approved or at least get heard and considered. So as we sat and spoke about this, and incidentally some people said we didn't have much of an attendance. To the best of my knowledge I don't believe in the 12 years I've been in office that we had as many people attend a Sunshine meeting that any other meeting that I can recall.

Commissioner Anderson: The majority of the Board of Architects was there.

Commissioner Cabrera: And staff was there as well. You know what I enjoyed seeing, I enjoyed seeing citizens there. In fact we have a citizen in the audience today, a resident in the audience that wanted to take time from her day to be sure to be part of today's discussion, and I believe she may have reached out to all of us, which I think is great. I think it's the way it should be. So obviously, I'm going to support Mrs. Anderson, I look for direction from the City Attorney's office to ensure that whatever we end up doing from an organizational standpoint does not compromise the integrity of our organizational chart. You know, I want to make sure that there is still a dotted line relationship to the Manager or even a direct line to the Manager; if that's the will of this Commission I'm perfectly comfortable with this. This is not a personal attack, this is not a campaign item, this is something that's part of governance, and so I agree with her. It gives us an opportunity to take back some of the visionary responsibilities that we all have here, and somehow, someday they seem to be fleeting and it concerns me, and if I offend any of you that's not the purpose, the purpose was to have a serious thoughtful discussion regarding this matter and I commend Commissioner Anderson for bringing it back, and I thank her for taking the lead on it and including me in the Sunshine meeting.

Mayor Cason: Bill, you have anything?

Vice Mayor Kerdyk: First let me address the Board of Architects selection process and then we'll get to the – maybe I'll listen to the other Commissioners and we'll get back and talk...First of all I respect what you have to say as far as this goes and I'm sort of still at the same place you

were before, which is – I’ve tried to analyze it since you put this on the agenda, and in my opinion having served up here for a while I think it does politicize it. I think the home is the most important entity and probably investment of any individual and I can’t tell you the countless amount of people over the years that have called me and asked me, can you intercede for me with the Board of Architects on a revision to their home, and I got to tell you passionately having asked me, and at all times I’ve said listen, I don’t have an appointment on the Board and you really have to deal with it. I’ve had very few complaints about the Board, very, very few complaints about the Board, but I’ve been approached many, many times. So I think that as an elected official we are the closest to those people, those people meaning the residents of the City of Coral Gables, and I really believe by allowing the Commission to appoint is going to really politicize the process. I’m not going to get into the fact that in my opinion the City of Coral Gables is one of the best cities in the country and that this has worked well since 1930, but I do want to mention that the safety net here is the applicant that has an issue with the Board of Architect’s decision has the appeal right to the City Commission, so ultimately we can end up in the City Commission Chambers. So in my opinion even though I do see the other side of this clearly, in my opinion I want to keep it as it is right now.

Commissioner Anderson: And it’s interesting. I have the same point of view as politicized, but really Bill, have you seen what’s going on?- I mean really, you haven’t heard from developers or designers that they are having getting trouble designs, the freedom of design?

Vice Mayor Kerdyk: I’ve got to tell you, I’m probably closer to that community than anybody by far, by far.

Commissioner Anderson: Yes, I know, that’s why I’m asking you.

Vice Mayor Kerdyk: I heard yesterday, I had one guy call me yesterday, one person and I talk to all these guys everyday of the week. They are calling me on sites and whatever, and I’ve heard one person recently say that what you are talking about, that hey, they are making me design in Mediterranean, which should not be the reason; Mediterranean is a bonus, a bonus, you get a bonus if you build Mediterranean or you hit the threshold, the interpretation of the threshold, I’m not making that interpretation that’s what’s written in law and we have actually we have – I talked to Dorothy Thomson yesterday, she was part of the initial Mediterranean ordinance in 1982 with Chapman and everybody and we’ve reconvened that on numerous occasions subsequent to that, but nobody should be required to build Mediterranean...

Commissioner Anderson: It’s happening.

Vice Mayor Kerdyk:...I mean that's not right, the fact is if you want to build Mediterranean and you want the extra bonuses....

Commissioner Anderson: Well look, I'll give you a for instance just for the sake of argument. Ponce Catalonia got Mediterranean bonus because I think rightly so, and it shouldn't actually be called Mediterranean it should be called design bonuses. We should be looking for quality design, I think that's what we are looking for, and I think the City Architect has been working diligently in the past to ensure that it is inspired and maybe in a modern way of Mediterranean and get bonuses because that's how developers develop, you have to give them incentives and you have to give them FAR or whatever it is, so it's a question of a bit of freedom.

Commissioner Cabrera: But it's more than that if I may add?

Commissioner Anderson: Sure.

Commissioner Cabrera: Bill, it's more than just Mediterranean design, it's about telling architects what the external material needs to look like on a building.

Commissioner Anderson: Right – details.

Commissioner Cabrera: The details...

Commissioner Anderson: Biltmore Hotel being one example.

Commissioner Cabrera: How the arches are supposed to be designed, but I want to go back to something you said really very interesting Bill, because you made a comment that was very forthright and very candid when you said you had people come to you as I have to intercede on your behalf...I heard you, I'm taking notes, you said you had people come and intercede, asked you to intercede on their behalf, and you don't want that. Then I could say the same thing to you and to myself about the Board of Adjustment, because I have people that come to me and ask me to intercede about the Board of Adjustment, I could say the same thing about the Planning Board, because I've had people come to me and ask me to intercede on the Planning Board, I could say the same thing about the Code Enforcement Board, because I've had people come to me and say could you intercede on my behalf, and each and every time I've said, look I'm sorry, I do have an appointment there, but I'm not in a position where I can intercede on your behalf. There is an appeal process, and if in fact you should not succeed with the Board of Adjustment because they do not give you the application permission then you always have the ability to go before the City Commission, and therefore I cannot even discuss this matter any further with you. So that argument, I don't know, because you know what?- it is politicized now, it's politicized today, it's

politicized by one person instead of five people who happen to be guess what?- politicians, imagine that.

Vice Mayor Kerdyk: But where I see a difference, clear difference, distinct difference is the multitude of applications that are in front of the Board of Architects as opposed to the Planning Board or close to any of those other Boards....wait, hold on, wait, hold on, I can just tell you that if you make any type of alterations to your house, again, your number one investment in most people...is your home, is your home. People are very, very sentimental or aggressive when it comes to their home, there is no doubt, and the fact is that these gentlemen, first of all I don't know how the Board of Architects do it because they spend so much time and effort in the City and they should be commended. I don't think anybody here is anywhere critiquing the Board of Architects....

Commissioner Anderson: No, they knew that, they knew that.

Vice Mayor Kerdyk:...quite to the contrary, but I think there is a distinct difference because Planning Board or even Code Enforcement the amount of time and applications it is just numerous, numerous, numerous and I just think there is a filter there with the Manager, and we get to approve his Board appointments. We still have the right to approve them.

Commissioner Cabrera: Formality, it's a formality.

Mayor Cason: It shouldn't be a formality.....and if you take it as a formality, that's wrong.

Commissioner Cabrera: It's a formality.

Commissioner Anderson: Actually the City Architect is the filter.

Mayor Cason: Frank you want to say something.

Commissioner Anderson: The City Architect is the filter, so I'll just say that. He still would be overseeing the Board of Architects, but go ahead.

Commissioner Quesada: Commissioner Anderson let me ask you a question. Are you against the Mediterranean bonus?

Commissioner Anderson: I'm for bonuses; I'm for design bonuses, yes.

Commissioner Quesada: Design bonuses.

Commissioner Anderson: Now if it's called Mediterranean bonus or whatever it is it really functions as a design bonus and if its quality architecture. May I ask – when you are finished I'm going to ask the City Architect to explain.

Commissioner Quesada: I have some questions for him too.

Commissioner Anderson: OK – great.

Commissioner Quesada: I wanted to clarify some things...

Commissioner Anderson: No, I'm not against – I'm for bonuses for good architecture whatever that is.

Commissioner Quesada: OK. So the current design bonuses that are in place that award the bonuses to the types of – I'm sorry to steal his paper, these kinds of buildings, that Allen Morris project down on Alhambra, do you want to see those changed?

Commissioner Anderson: No, no, no, I'm not talking about.....

Commissioner Quesada: I'm sorry. I just want to know if that's the next step is change...

Commissioner Anderson: No, no listen, I would be around here long enough, but I'll tackle that if you let me. No, no, my intent here is two-fold, I just want to make sure that the vision of the City is given somewhat back with the filter of the City Architect because I still think the City Architect is our filter, our buffer with the community, he would be the person that would be the professional in front of that. I have no desire against bonuses, to tackle those bonuses, I believe they have served the City and they encourage development, but I do believe....

Commissioner Quesada: What I was reading the minutes of your meeting that was attached to the agenda and the documents that Craig had just thinking about this, it makes me think this is the Board of Architects and the City Architect apply whatever Code we come up with up here, whatever ordinance, whatever Code we have, correct? I'm not an architect, so I...

Commissioner Anderson: No, that's right; they are supposed to apply the Code, our Code, our vision.

Commissioner Quesada: I guess for me, this is what's going through my head is, if they are not, if the City Architect or the Board of Architects is not applying the Codes that we have in place,

shouldn't we be the ones that's amending the Code so that its more clear or is that impossible because of the nature of the profession?

Commissioner Anderson: Well, I think this is another question, I think, if I might say, this is not within the scope of what I wanted to do as far as amending, I think that needs to be looked at, but I'm not going to be here long enough to do that. I believe that the design of the City, the physical built environment thorough our Code needs to have a professional in front of it and that's what I wanted to get, and that we have a hand in the vision. Right now we don't, truly don't have a hand in it. They have relegated the City Architect to administrative steps. I believe that they basically from what my conversations that day at the noticed meeting is relegated to very small administrative steps and he is a professional. It's now in the hands of a person that was hired by the Manager who reports directly to the Manager, and Mr. Mindreau from conversation in that vein he has different duties now which don't interface with the Board of Architects and who has a good relationship with Mr. Mindreau. Now it could be Mr. Mindreau, or it could be Mr. Smith, Ms. Smith, whatever, this is about posterity of a position that was really important from the first, Denman Fink, Phineas Paist, they ruled actually with a pretty iron hand, and they were one of George Merrick's right hand people. So I'm trying to strengthen the Board, I'm sorry, the architect's position to a position while still under the Manager's purview, still has some autonomy within that to direct the Board, to enforce the Codes, to help enforce the vision of the City, right now that's not happening; and the other one is the Board of Architects that we have – I'm a very hands-off person with my Board members, so I let my Board members go with it a lot of times, from a political standpoint I do the same thing as Commissioner Cabrera. I just say, I can't talk about it or I can't get involved, I don't, that's just a matter of personal preference and conduct for me. So I don't think that we will be running afoul of anything else other than just making it like another Board. If you look at the chart, we just approve those as a formality and the people who are approved there might have been grilled to have a vision that might be extile, only extile. What we want is a variety, a good cross-section of people in the design community that will give the City the beautiful flavor that it deserves, but we don't have that control any more, and the City Architect who has had in the past a position of more responsibility, more prominence within the existing structure of our City is now not doing that. It is being politicized, it's just not us.

City Manager Salerno: Mayor?

Mayor Cason: You have anything else to say.

Commissioner Anderson: No, I still have a point of order, I'm still chatting with my – I don't need a rebuttal from you sir right now. For me this is about vision, this is about posterity, about legacy, it's all we have. Do I have problems with the way things are running?- absolutely, and

actually it did precipitate this, but in the long run what we are leaving is a position that's strengthened whoever sits in it. We are on a Board that is composed of a representative body, it gives the Manager an opportunity to have an appointment as well, but it gives us a cross-section, and the architect the position to recommend to us talented pool of people, that's all I want, that's all I want and that's what's not happening now, and that's what makes me bring this up.

Mayor Cason: Anything else Frank? I want to ask, are you saying there are architects on the Board who have only one style?- something you don't like about the architects that were chosen through the system?

Commissioner Anderson: No, I didn't say that at all.

Mayor Cason: But they were chosen – as I understand it the system – people come to the architect if there is a vacancy, show their curriculum vitae, he looks at them, there are interviews, and they are – somebody is the winner or is brought to the City Commission, which makes formal or not, it cannot be formal if – or just a matter of rote if you have a concern about it, but is that the way it works?

Commissioner Anderson: Well actually, you know, if I might bring up our City Architect to explain the process of how those have been done in the past. Mr. Mindreau?- so he can explain it because he has dealt with it in the past, he dealt with it under Mr. Brown and up till now. Can you explain how the process is, how you look at the pool of architects.

City Architect Mindreau: And Maria (Menendez) as well. I typically I get several people during the course of the year will present me with their resumes and express their interest in participating in the Board. I review those; the purpose of my review is one, to find that they have compatibility with the members that are currently on the Board or whatever member they will be replacing; that they have a certain level of professionalism that would ensure to me that their decisions would be based on the professional design standards rather than on stylistic design standards as a matter of fact. The members I recommend, I make sure that they have a certain academic inclination so that they can look at presentations in front of them in a more academic context rather than a significant style of architecture or presentation style.

Mayor Cason: Do you ask them if they have a particular preference that they like?

City Architect Mindreau: Not necessarily. I ask them in their resume and I can determine from their projects that they have done what the nature of their design capabilities may or may not be.

Mayor Cason: And they understand the bonus – the preference we give and the history of the architecture in the City, so they are in tune with....

City Architect Mindreau: They are required to be practicing architects for the last ten years, five years of which are required to be involved in the City of Coral Gables. They have to have an active knowledge of the City and understand where the City is coming from and perhaps where it might be heading.

Mayor Cason: When was the last vacancy that you brought before the Board, before the Commission?

City Architect Mindreau: I'm sorry?

Mayor Cason: When was the last vacancy that you went through this process?

City Architect Mindreau: I believe it was a year and-a-half ago or so, we nominated two additional persons to the Commission, no I'm sorry; there were four the last time that they were brought up.

Mayor Cason: And they worked out well?

City Architect Mindreau: It's worked out well the years that I have been here, it's been status quo pretty much since 1930 I think.

Mayor Cason: OK. This system has been in place, I understand, since the early 1930's.

Commissioner Anderson: But you know....

Mayor Cason: It was on purpose the one Board...

Commissioner Anderson: City Architect.

Mayor Cason: Right, the architect and then it became the architects that were not going to be – that were going to be different than the other Boards, and it must have been a purpose and a vision behind....

City Architect Mindreau: I don't know the history of it.

Commissioner Anderson: You know, I know that it was an important person and you know you just keep things the same and I guess you have to believe that it's not working, but we have a City Architect that's being really underutilized and being relegated to tasks that are not of the Board of Architects from his own testimony. One of the things I really had hoped for, and maybe it's a pipe dream, is that you'd keep an open mind, I hope that you do, but I'm not getting a good sense of this, because you keep talking about the past, but we have a future, the City has a future. Boards function – this Board would now be equal to other Board functions, the position of the City Architect and the position in line with other more autonomous bodies of the City, under the City Manager, would give it its due and would take care of a multitude of sins and would actually, I think, depoliticize a process, that's just my opinion. I'm a forward thinker, I don't believe you should stay still just because it's always been done that way. I think that's why institutions are dying and not just government, but other institutions because they refuse to change or innovate.

Commissioner Cabrera: Listen, I don't think it's about, colleagues, I don't think it's about the Board of Architects not working well. I don't think it's about whether we like or we don't like the Mediterranean bonus points or Mediterranean design, I really don't think it's about any one of those things. Jim, I agree with you, I think the Board of Architects fundamentally and structurally has worked very well over the years, that's not what Mrs. Anderson and I are saying. What we are saying is it's about recognizing that the process is being modified, the process is being altered in such a way that it's now being controlled, and God forbid should I say by a few or the one, that's really the problem here and I think what Commissioner Anderson is trying very hard to do is to get us all to see that the process needs to be independent from that one person or that small group of people, and I'm not talking about the Board of Architects now. It needs to be a process that's independent and effective, so that people feel like they want to come and develop here, that they want to design good buildings, that they want to be able to use the right materials, they don't want to be told – I can give you specifics, but I'm not going to embarrass developers, that's not something that I wish to do, I don't want to embarrass people that work in the City. So that's really what this is all about; and so I happen to love the Mediterranean bonus and I happen to love great Mediterranean design. Do I like some of the junk that's been put up there over the years?- no. I think three arches and some barrel tile roof on the top of the building doesn't constitute Mediterranean to me, but I have learned to accept and to enjoy great design. You know the Catalonia Ponce Building is a great example of that and there are other great examples like that. So that's what my argument is all about.

Mayor Cason: I think in all fairness since we are talking about the Manager, I'd like the Manager to chime in here and make his point of view, that's fair.

City Manager Salerno: Thank you Mayor. I also attended that meeting, I wasn't asked to speak, that's fine, I was just there to observe, and for the record there were three members of the public that came on their own as far as I can tell. I don't necessarily agree that that is an overwhelming turnout for a meeting. The other members that were there were members of the Board of Architects who received an e-mail saying, you must – please attend this very important – exclamation point, exclamation point, exclamation point meeting. So there were three members of the public, just to put it into context, just how this was attended. That's an aside. Number one, design is a policy decision of this Commission, let it be perfectly clear, the staff is not directing Mediterranean, OK, and I will challenge...

Commissioner Anderson: Absolutely, I will.

City Manager Salerno:...bring forward please the name of the individual(s), because I am going to put it into context in a minute Commissioner...

Commissioner Anderson: I'm not going to give the name of the individual.

City Manager Salerno:...the Commission has decided that there is a Mediterranean bonus and in those instances that ordinance is going to be followed, OK, and it is, and it hasn't been vigorously or uniformly applied in the past. No one is being forced to design Mediterranean, no one, except if they want to get the bonuses associated with Mediterranean design.

Commissioner Anderson: Ponce Catalonia, Ponce Catalonia.

City Manager Salerno: Commissioner let me finish please.

Commissioner Anderson: Yes, absolutely.

City Manager Salerno: We are not an organization status quo, sitting still. What was done was specifically intended to strengthen the development of this community. We reorganized the Building and Zoning Department; Zoning – Carlos used to report to the Zoning Officer for the City, he was in that Division, that's where he would report to. Frankly, the Zoning Officer has no skill or background frankly in reviewing architectural work, design, concept in any sense, and frankly Carlos was a one man show, that's how it was administered and it's not his fault, that's the structure that was in place that the Zoning Officer has absolutely no background in architectural design. We reorganized that because Coral Gables is the only place that I know of that had its zoning function separate from its planning function. The zoning function was reorganized and put with the planning function of the City under one individual, that individual is sitting there behind the Chief, Ramon Trias. Ramon, as was described, he is the Planning and

Zoning Director and the architectural review function comes under zoning. Ramon is an architect; he not only has a Bachelor's in Architecture, he has a Master's in Architecture...

Commissioner Anderson: It's nice.

City Manager Salerno:...and he is a Certified Planner, he is the only one on our staff that is a Certified Planner, OK. He is over the planning function, he is over the zoning function and within zoning is architecture.

Commissioner Anderson: May I please just ask a question? I'm trying not to interrupt you. Let me just say, is there any interest?- because we can let this go on and you can defend...

Mayor Cason: I want to hear this. I want to hear this.

Commissioner Anderson: Because if there is no interest....

Mayor Cason: There is a lot of interest, this is very important.

City Manager Salerno: This is an important policy issue that I think the Commission needs to give us guidance on.

Commissioner Anderson: Let me – I'm just trying to cut this short because we have a long day. If there is no interest in strengthening the City Architect's position, it's OK.

Vice Mayor Kerdyk: It's of interest for me to hear what the City Manager has to say.

Commissioner Cabrera: You already heard it.

Commissioner Anderson: You heard it in pre-agenda.

Vice Mayor Kerdyk: No, I have not heard it.

City Manager Salerno: Commissioners you have not heard it yet.

Mayor Cason: Go ahead and continue because I think we want to hear what everybody else has to say.

City Manager Salerno: Thank you members of the Commission. We are not sitting still; this has been strengthened, as I've just described to you how we've strengthened the emphasis on

architecture, that is one of the most important things, that's our brand; our brand is Mediterranean Revival Architecture. Go to anything on site and have a description of Coral Gables and that's what gets described. Now that does not mean that we don't welcome quality architecture of any kind, of all kinds, but when you are applying the Mediterranean bonus there is a description, there is a definition of what Mediterranean bonus is in the Code, and it gives you 8 examples of structures that are supposed to comply, OK, including the Biltmore, including this magnificent facility, and others that are like it, that are Mediterranean Revival Architecture.

Vice Mayor Kerdyk: It says that in the ordinance?

City Manager Salerno: Yes. Ramon, please come forward.

Vice Mayor Kerdyk: Because the one guy that called me yesterday as I said, said something like, hey I'm being told about the Biltmore, but now you are telling me...it's in the Code...

Commissioner Anderson: The pattern that we are going to be following.

City Manager Salerno: It is in the Code. Ramon, let's talk just for example; architecture is a subjective field when you evaluate it. He is subjective in some ways, but he is skilled and trained at the highest level and we supplemented and enhanced our staff when we added Ramon to this organization, and we are utilizing his skills in ways that hadn't been used before. So Ramon, I'd like you to put up if you would those boards in first order. When you use Ponce CAT; Ponce CAT received an architectural bonus for two floors, they were only entitled to go 45 feet yet they went to 72 feet, and the way it was accomplished, put it on the easel there, up on top there. This was the way it was presented to City staff and they endorsed it. Frankly, Ramon has a problem with it, I think if you have a critical eye, how does the Biltmore Tower and the drawing to the right, how is that indicative of Mediterranean Revival? I ask you all.

Commissioner Cabrera: Well you are talking to four non architects.

City Manager Salerno: This is our Planning and Zoning Director who is a registered architect and registered planner. Ramon, please describe how they are not Mediterranean or how somebody could use that to justify? I would dare say that staff did not uphold the ordinance; they did not follow the ordinance in this instance. It's a beautiful modern building, I love it, but it should not have been granted the Mediterranean bonus, it should not have been allowed to have gone from 45 feet to 72 feet unless they followed the policy decision of this Board, this Commission made it, not me, I'm not going to ignore an ordinance. Ramon would you please.

Mr. Ramon Trias: Mayor, Commissioners, thank you very much for the chance to explain this. Again, the issue is very simple as it relates to the ordinance that deals with Mediterranean architecture level two. Level two lists several buildings and those buildings are photographed here and those buildings should be within model for the architecture, and then of course the building is presented to the Board of Architects and they make a judgment and they have final approval over the decision. So these are boards that were lent to me by the architects who have been very nice and very collaborative in the effort, and also the Board of Architects have been very helpful in having this discussion, and the purpose of this is to explain to you how that discussion took place. In our view that discussion should have been a little more rigorous and a little more directly related to what the ordinance says; and the way that I interpret some of the conversation that I've seen recently is that in my view there are two types of design issues that you need to take into account; some that deal more with a town planning aspect of a building, which is what I see described as good design, and some that deal more with an architectural aspect of a building. Right now the ordinance deals with everything at once and I think that leads to some confusion sometimes, and this is I think an example of that. I think that the town planning aspects of the ordinance such as for example, the arcade requirements or options of arcades the articulation of rules and so on, are the requirements that are less dependent on a particular style, and on the other hand when you actually have the level two examples that are listed very clearly that to me is a very, very clear indication of the stylistic issues that should be taken into account. So I think your ordinance is weak from that point of view and I think some of the comments that I hear have a lot of value, but in order to apply it effectively, I think staff needs to provide adequate professional expertise that is based on what the ordinance says, and that is what we are proposing that should happen.

Commissioner Cabrera: Mr. Trias...

Commissioner Anderson: I'm not actually even asking for change in the ordinance.

Commissioner Cabrera: Mr. Trias thank you so much for that explanation and I appreciate you coming up here and lending your expertise, but you know it's almost like a one-sided argument when I hear this from you and I hear a rhetorical question from the City Manager about how much these two designs look alike. I'm not an architect.

City Manager Salerno: No, they don't look alike.

Commissioner Cabrera: I know they don't, that's your point, I got it, I got it. I knew what you were doing and I'm not criticizing you for it, I think you are trying to defend your position and that's OK, you are entitled to do that. What I'm trying to say is it's not fair because Mr. Pratt and Mr. Bellin are not here to tell us why they used these examples and what elements they used

from these examples to get the Mediterranean bonuses, and I don't want to micro-manage this, Mr. Trias, it's not about changing the ordinance, and if you believe the ordinance should be changed then by all means we hope your professional expertise will help us do that and I look forward to that. It's about what's occurring and like Mrs. Anderson said, if you all want to go ahead and continue the attack that's fine, but I just don't think it's fair that the design elements that are being presented to us that were presented to a Board by the architect that designed this. They are not getting the opportunity to say, here's the reason we used this example. This is the reason we used the Douglas entrance, this is the reason we used the tower of the Biltmore, this is the reason we used the archway, that's not happening so I think it's highly unfair.

City Manager Salerno: I would only say this because this is helpful Commissioner, if there are 8 examples in there, 8 examples of what staff is supposed to be striving for to get the Mediterranean bonus and its City Hall, and it's the Biltmore, and the other examples shown there, if it's those, if that's what's intended then that's not, from what Ramon has advised me, that's not what is representative there.

Commissioner Anderson: But you know actually that wasn't even my item.

City Manager Salerno: No, it's my point that I'm trying to make Commissioner.

Commissioner Anderson: No, no, but I'm trying to focus us back on the original thought....

Commissioner Cabrera: We are having a conversation...

Commissioner Anderson: I'm not trying to challenge you.

Mayor Cason: Finish up your point and....

Commissioner Anderson: I want to rise to a point of order...

City Manager Salerno: Thank you Mayor.

Commissioner Anderson: I want to rise to a point of order please.

City Attorney Leen: The point of order takes precedence.

Commissioner Anderson: And the point of order takes precedence. Point of order is I just want to refocus us back on the original thing, which was strengthening the role of the architect, I'm not trying to talk about Mediterranean and I'm also just trying to talk about Board appointments for

the Board of Architects, that's all. I don't have any challenges; I know if that needs to be changed – great, that's all I wanted to say. I don't know why we are going off on this tangent.

City Manager Salerno: Mayor, the points were that the top management, the Manager, whatever you want to say is directing Mediterranean; no, the Manager through staff are following the ordinance that this Board approved. Now Commissioner, I'm going to tell you what I know – about a month and-a-half ago, maybe two months ago just a little bit before you brought up this issue, I want you to know because I try to go back into my thought process and think, where have I have a discussion about Mediterranean architecture with anybody?- and only once instance came to mind....

Commissioner Anderson: With me.

City Manager Salerno: What?

Commissioner Anderson: You discussed it with me.

City Manager Salerno: I'm talking about with the developer...

Commissioner Anderson: Oh, OK.

City Manager Salerno: In a month and-a-half you and I haven't had a conversation in that time period outside of the Commission Chambers. The point I was making is about a month and-a-half maybe two, something in that timeframe, and I want you to understand that so it doesn't get misinterpreted by somebody else filtering it or changing it, I was approached by a developer and an architect; the architect was John Fullerton, a very prominent architect in this community, very prominent – we are using him because we are using him to help advise on certain items, and if you haven't heard this Commissioner about John Fullerton, I would be surprised that that's not the instance you were referring to, but if not it's another one, but here's what happens....

Commissioner Anderson: I'm not going to give up my sources because they would be retaliated upon.

City Manager Salerno: That's OK – they approached me, the architect and the developer wanted to do a multifamily project on Valencia, in fact the 500 Block of Valencia, and they said currently it's in a MFSA, MultiFamily Special Area zoning, and they came in and said, what I'd like is we want, we need the Mediterranean bonus in order to do our project the way we want to do it. Mediterranean bonus does not apply to MFSA, so we would like the City Commission to amend the Zoning Ordinance to allow Mediterranean bonuses in that district, that's the approach.

They showed me a picture of the building, the building was similar to the Ponce CAT Building, similar to the Ponce CAT Building in its design, and I said, in order for this to go forward to the City Commission, and if you want to get the Mediterranean bonus and having discussed it with Ramon, he looked at it and from Ramon's professional was not close at all to meeting the requirements of that, said you need to make it comply with the Mediterranean bonus requirements of the City if you want to get that changed because when the ordinance comes to the Commission and you are being asked to give it a Mediterranean bonus, they are going to look at it and say that's not Mediterranean. Our Planning and Zoning Director was saying it didn't meet the requirements of the 8 requirements there, and that was the guidance that was given. So, I admit it, we did tell them that, but we told them that in regards to following the Mediterranean bonus, that's what we are supposed to do. I subsequently asked someone involved with the project to speculate or did they know? – how did this project? – how did you get the idea that you could design something like this and get a Mediterranean bonus for your project?- and the person that I will keep in confidence told me he believes that they were going to use the Ponce CAT Building as the example to get around the Mediterranean bonus requirement, that's what they were advised, I know Ramon didn't advise them of that, because Ramon believes, he saw the drawing, and he thought it was not anywhere near meeting any of the intent of the Mediterranean bonus. So, I'm guilty as charged as following the Commission that adopted the Mediterranean bonus, I admit that, we will do that, that is what Ramon is guilty of doing, but that is what we believe is the intent of this Commission to do. If there was no Mediterranean bonus, you know then we wouldn't even be having a conversation with architects; the only reason we have a conversation with architects at all is because if they are seeking Mediterranean bonus then the ordinance says you use those 8 buildings as guidance to what you are doing, and then I rely on Mr. Trias and his professional opinion, just like I've relied on Mr. Mindreau's opinion on each time that he ever brought me a name for somebody that should be recommended that Board I took, OK. So I haven't tried to steer it toward Mediterranean architects unless he was doing that and I don't believe he was....

Mayor Cason: I have a question. I thought I heard the allegation was that only Mediterranean buildings were being built?

Commissioner Anderson: Allegation – I didn't make any allegation.

City Manager Salerno: And that is exactly what I'm saying is absolutely untrue.

Mayor Cason: Is that correct from what you've seen?- are buildings being built that are not Mediterranean apart from the...

Mr. Trias: Yes, a majority of the buildings that I see go before the Board of Architects are not Mediterranean, that's just a fact, and the Code specifically says that there could be many styles, just like the Commissioner has said, the issue of the Mediterranean applies specifically to the bonus.

Mayor Cason: Other than that you can build whatever gets through the Board of Architects?

Mr. Trias: As long as it's constantly done and the Board of Architects approves it, yes.

Commissioner Cabrera: I don't want to get stuck on this Mediterranean issue.

Commissioner Anderson: That was not my intent, that wasn't about it.

Vice Mayor Kerdyk: I think it sort of is. What you are trying to do is separate – you are trying to change the flow chart, right now the City – apparently it sounds like the City Architect is not interpreting the Mediterranean ordinance correctly, that's where – and so the way you have it there is no back stock to his interpretation, it goes straight to – so it is sort of, there is some relevance there.

Commissioner Anderson: Well if you believe that....

Vice Mayor Kerdyk: I don't know if I believe it, that's what we are hearing, that's what we are hearing.

Commissioner Anderson: I understand what you are saying. Let me just say there is...

Vice Mayor Kerdyk: I like Carlos.

Commissioner Anderson: I do too and I don't have anything against staff per say, they have to do what they have to do, but what I'm saying is there is a need not only now, but for the future, I'm talking posterity, God forbid that we think about it, I'm not talking about Mediterranean bonus, I have my opinions, but that's not my topic, I'm trying to change the function, reporting function of the Board of Architects and to elevate and strengthen the position of the City Architect to interpret the Code as it is. I'm not trying to change the Code, but I think we have talent in the City, we have talent in our architects that serve on our Board. If you took the time to ask them they probably won't say because they are worried, but those are the two things that I was focusing in on. Now if we don't want to do any of them let's just stop the discussion, but I never talked about Mediterranean bonuses, this was a side throw to throw you off track, I mean really, my intent was to strengthen the Board, strengthen the City Architect, change the reporting

structure of that and then the City Architect would still filter things to the Commission as far as appointments like they do now, only it would be across the Board, that's all I had, really, really.

Commissioner Cabrera: So the question is, is there an appetite to support...?

Commissioner Anderson: Yes, I just want to know if there is an appetite?- if not we'll move on to the next discussion item.

Mayor Cason: I think the two issues that you all raised – I go back to what you said back in May, I know you changed your mind, but you persuaded me back in May of 2011 when you said, all Boards are political to some extent, I think what differentiates the Board of Architects from other Boards is that they are the same group all working together in one room. I think on sensitive projects, these are development projects in general, it's an opportunity for the potential for the appearance of impropriety, it makes me uncomfortable and I'm perfectly content when not having that Board under my purview. Mr. Mindreau actually helps pick the whole Board and it's depoliticized that way, it's also able to run professionally on its own merits. For me I have no interest in appointments to the Board of Architects, I don't know anything about architecture. I would not feel that I'm a person that could....

Commissioner Anderson: And I preface my remarks that I changed my mind...

Mayor Cason: I know, your arguments are my arguments now.

Commissioner Anderson:...and I preface that – right – If I thought I had a chance to convince you back then, I don't think I have a chance to convince you now, is that I was wrong, because the process is politicized now, it is. It is politicized, it's just handled in a different way and the people that are – and we are not really in control of the ship any more, but if that's the way it is, that's fine. Like I said, I'm humble enough to say I've changed my mind and I've realized why I needed to do that, I'm OK with that, and I'm glad you were convinced, I'm sorry I'm not up to my skills today, doesn't look like it's going to go that way, because I think you've made up your mind. So if we need to move on to the next discussion item, let's move on, I don't want to belabor this. It was never about Mediterranean bonuses, what happened here today, the side-tracking, the control, that's what happening, but let's move on. There is no appetite.

Commissioner Cabrera: I don't know, is there an appetite? Jim, I appreciate your position.

Mayor Cason: I wanted to know what was broken? At your meeting the architect that spoke up said nothing is broken.

Commissioner Anderson: That was May of 2011.

Mayor Cason: No, no, no, at your Shade meeting.

City Manager Salerno: Mayor that was Mr. Vinny Torre.

Mr. Trias: Mayor nothing has changed. I hear some of the comments from the Commissioner about how the City Architect does not have contact with developers...

Commissioner Anderson: Well Mr. Mindreau does he still work – from my understanding from the testimony, he doesn't have access to that before, he actually said that during the meeting.

Mr. Trias: He does. Not only he does, but I have invited him to many meetings and prior to my being there he was not invited. Now those are the facts, if we need to do it better, I'll be happy to listen to any info, but that has not changed.

Commissioner Anderson: You know it's not – I'll be really honest with you and I'm honest to say that, but I don't believe that's what's happening.

Mr. Trias: OK.

Commissioner Anderson: I'm not saying you, I'm just saying I don't believe that's happening, because it's a pattern, but beyond the pattern there is an ability to change my mind when conditions change. I talk to a couple of people that were of my same opinion and I said, you know am I crazy?- and they said no, we actually believe that it's time to make the change because of certain situations, but in the long run posterity, because when we are gone we have a position that's stronger whoever is in it and we have a Board that represents the Commission as a body.

Mayor Cason: Well I think the process should be and I hope that it will continue to be that the best architects come forward, you do all of your screening because you are architects, I'm not, and that you come and say that these are the people that meet the criteria and we have a chance at that point if we have any doubt, I don't know if you have to have a professional relationship with them, I think you can have one whether they are appointed or not, but if we have any doubt or you have any doubt you should let us know or you shouldn't even bring them to us. I think we've had good architects, you say we've had great architects, I don't see what's broken, I really don't.

Commissioner Anderson: That's the fundamental issue, that's your right to have that.

Mayor Cason: OK. Any other discussion on...OK.

Commissioner Anderson: Let's move on.

[End: 1:20:03 p.m.]