

**City of Coral Gables City Commission Meeting
Agenda Item H-1
July 10, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Frank Quesada
Commissioner Pat Keon
Commissioner Vince Lago
Commissioner Michael Mena**

City Staff

**City Manager, Cathy Swanson-Rivenbark
Assistant City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia**

Public Speaker(s)

**Ellen Ugucioni
Karelia Martinez Carbonell
Gay Bondurant
Josephine Johnson
Mary Anne Danguillecourt
Robert Ruano
Amy Brigham Boulris
Joseph Martucci
Pat Button
Arva Moore Parks
Sallye Jude**

Agenda Item H-1 [9:50 a.m.]

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Agenda Item H-1 - Discussion regarding LaSalle Dry Cleaner's proposed demolition.

Discussion regarding LaSalle Dry Cleaner's proposed demolition.
(Sponsored by Commissioner Mena)
(Sponsored by Commissioner Lago)

Commissioner Mena: H-1.

Mayor Valdes-Fauli: Yeah, H-1. Out of order. There are a lot of people here for that. And that is Commissioner Mena and Commissioner Lago's item. Discussion regarding LaSalle Dry Cleaner's proposed demolition.

Commissioner Mena: Okay.

Mayor Valdes-Fauli: Before we start, I'd like to make a -- clear something up. I've been accused of having a conflict of interest in this. I think it's an offensive and a very unfair accusation. I did represent a person who made an offer to buy the property before I was a City Commissioner -- I mean, a mayor. And I consulted with Craig Leen, the then-City Attorney, and he said that I either had to refer it -- which I did -- to another attorney or I had to recuse myself if it ever came up before the Commission and I was still representing the attorney, because I would have a conflict of interest. And we have recused ourselves in the past year. I -- it didn't come up. I referred it to another attorney, and it is coming up now. I've had no interest in the property and the people or anything, and I asked our current City Attorney for an opinion. And would you read it or...

City Attorney Ramos: Yes, sir. There's been an opinion published on our website as are all of our opinions. The opinion reiterates what the former City Attorney said regarding the fact that the Mayor withdrew at the time, in an abundance of caution, and said that if the sale had gone through and the party had come before the City Attorney, he, of course, would have recused himself. The sale did not go through. Therefore, my opinion states that the vote that was taken in March to enter into a resolution to lease the property for parking did not pose a voting conflict

for the Mayor, nor does the discussion or any vote that could result from today's discussion. As mentioned, the opinion is posted on our website.

Mayor Valdes-Fauli: Thank you. And can you set the tone, and you sent us, you know, a memorandum to the City Commission on the actions of the Historic Preservation Board and our - - you know, what we can/cannot do and the consequences of doing that?

City Attorney Ramos: Of course, sir. I'll give a little bit of background. In September of 2016, the owners of the LaSalle Dry Cleaner's came before the Historic Preservation Department and requested a letter of historic significance, as is required for any property that is seeking to be demolished in the City of Coral Gables. As a result of that, the director of the Historical Resources Department, Ms. Spain, took the matter to the Historic Preservation Board in November of that same year. The Board, at that time, directed Ms. Spain to have the department put together a designation report and bring it back to the board. That designation report was heard before the Historic Preservation Board in February of 2017, after being properly noticed. And at that time, the Historic Preservation Board held a hearing of approximately one hour and determined that the building was significantly altered, and due to the alterations, had lost any historic significance, and therefore, did not designate it as historic. There was ten days to appeal that decision. Those ten days elapsed on February 26 of 2017. That brings us to March of this past year, when the City Manager brought forth a resolution to authorize her to enter into an agreement to lease the space for parking -- to enter into a parking lease. There was no issue with that. As the Historic Preservation Board had already determined that the property was not historic, it had not been appealed to the City Commission. At this time, the City Commission may not reverse the decision of the Historic Preservation Board. That would be in violation of the process set forth in the ordinance and could subject us to significant challenges under the Bert Harris Act of the Florida Statutes. The City Commission may send the case back, basically, to the Historic Preservation Board to determine if there had been a substantial change of circumstances between February 2017 and today. It is the belief of the Historical Resources Department that there has not been a substantial change of circumstances. The City Commission

may also ask the City Manager not to move forward with the parking lease agreement. The parking lease agreement has not yet been executed. They may rescind that resolution today by vote of the Commission, if they choose to, and direct the City's Administration to look at other options for that property. But, designating it historic today is not an option that the City can undertake without being subject to significant challenges under Bert Harris.

Mayor Valdes-Fauli: Thank you. It's your -- you know. Please.

Commissioner Mena: So, thank you, Miriam, for setting out the history here and the facts, because I think the facts are very important. I decided to sponsor this item, obviously, because there was a lot of reaction from the public, I think, in response to the resolution that was more recently passed. At the time of that resolution being passed -- that's the March 2018 resolution to enter into negotiations for a lease -- there really was no discussion about the historic nature of the building. It sort of came and went very quickly and this was sort of in the past. And the reason for that was, as Miriam described, this had come up in February. There had not been an appeal, and so, we really didn't have an opportunity at that point to change anything. With that said, I've now had an opportunity to really get more informed on this building. I appreciate the input, obviously, of the different residents and organizations who have, you know, come forward with a lot of helpful information for us; also, Dona Spain's office. I spent the entire afternoon there yesterday meeting with different people on just this matter to really clarify the facts not only for me, but for everybody else, because I think it's important for everybody to understand the facts. Obviously, we're going to have some public comment in a moment, but my position at this point, based on our advice from our City Counsel is -- from our City Attorney, excuse me -- and I will be making a motion today to, essentially, rescind the resolution we passed last time. And I think that we should explore and we should ask staff to explore what other options there are to negotiate with the owner of this building to see whether we can come up with a better deal that preserves the building and keeps it not only present, but possibly, restore it to a point that it should be restored in order to cure some of the issues that I believe Dona and her staff, when

they went originally to the Historic Board, had concerns about. So, that's where I am with the issue.

Vice Mayor Quesada: Do you believe the Bert Harris issues raised by the City Attorney -- how do we overcome that?

Commissioner Mena: No, no, no. So, I don't believe there are Bert Harris issues with rescinding our most recent resolution...

Vice Mayor Quesada: Let's be...

Commissioner Mena: To enter a lease.

Vice Mayor Quesada: I just want to be clear for a second for those watching. Can you...

Commissioner Mena: Right.

Commissioner Lago: But I just...

Vice Mayor Quesada: Use non-legalese to explain what that is?

Mayor Valdes-Fauli: Let him...

Commissioner Lago: No, but I just want to make just one -- let me clarify. Commissioner Mena, by the way, I agree with basically everything he said. In reference to rescinding, it has to be someone on the prevailing side, correct?

City Attorney Ramos: No. It would not be a motion for reconsideration.

Commissioner Lago: Okay.

City Attorney Ramos: As a motion for reconsideration can only be taken at the same meeting or at the subsequent meeting. That was back in March, so this would actually be a motion to rescind.

Commissioner Lago: Okay. I just want to get that clear.

City Attorney Ramos: Since the agreement hasn't been executed, you may still move to rescind the resolution. To your point, Commissioner -- Vice Mayor Quesada, that does not mean that the property owners may not say that they relied on us entering into the parking lease agreement. I don't have significant concerns there. It's been two months. It was a parking lease agreement. The Bert Harris comes in if the City Commission does not follow its processes and decides to overturn the Historic Preservation Board's decision and today, designate the property. That's where we could get in some significant...

Commissioner Mena: And to be clear...

City Attorney Ramos: Bert Harris challenges.

Vice Mayor Quesada: Got it.

Commissioner Mena: And to be clear, we have not signed a lease.

City Attorney Ramos: Correct.

Commissioner Mena: So, we're not committed to anything at this point. And so, all I'm asking is I think we should have staff explore what other avenues there are and see if there is a solution that would not only, again, preserve the building, but hopefully, restore it back to a condition

that's appropriate for it. But, I want to be clear -- and I made this clear to everybody I met with yesterday and we had a very positive and honest discussions about this. Because, we cannot designate it historic anymore -- that ship sailed in February/March of 2017 -- this is a free market negotiation. The owner doesn't have an obligation to do anything. But I think that if we can engage them in a good faith negotiation, and hopefully, come up with something that works for them and for us, then at least we have a chance to try to save the building, and I think that's...

Mayor Valdes-Fauli: Okay.

Commissioner Mena: The best we can do right now. So, that's my position on it. Obviously, I welcome the input from my colleagues. Obviously, Commissioner Lago, I know you cosponsored this, and I welcome your input.

Commissioner Lago: Thank you. I'll be brief. I echo every single one of your sentiments. I agree with you wholeheartedly. My effort would have been today also -- and I will second that motion to rescind our motion and our move to have the City Manager enter into a negotiation to, hopefully, allow the owner of the building -- because we were not going to -- the City was not going to be demolishing that building and I was a little bit unclear about that. That would be the owner of the building currently, and then, we would, obviously, be entering into a lease agreement. I just wanted to say thank you, along with the comments that Commissioner Mena made to Arva Parks and Dade Heritage Trust, which took the time -- they came, they sat down. They really gave me an education in regards to how significant this building is. We take a lot of pride in this City in regards to our history. I think that this is an opportunity for us, as a Commission, to take a step back, reassess the situation and see what we can do to, hopefully, correct something which, in the past, we may have let go by, which we could have done a little better of a job. I think we can potentially come to some sort of agreement with the owner either via TDRs, transfer of development rights, maybe. Find some grants that are available at the local, at the state and at the national level for historic properties, potentially historic properties to designate them, if this were, one day, to be designated if it were brought back to its original

beauty. And that's a long conversation that I've had with Miriam, our ACM Peter Iglesias and our City Manager, that this property is not historic. And I'll admit to you. I'll be honest with you. I don't know how many years ago, I actually thought this property was historic. How many times did we drive by and think that this building on Le Jeune was not a historic building? I was caught by surprise when this building -- when they told me that this building was not historic. That's my fault. I don't have any qualms admitting to that, but I think we can right this wrong. And I think this Commission could take a step forward, like Commissioner Mena mentioned, and enter into good faith negotiation with the owner and see if we can come to a resolution that not only benefits the owner, but benefits this community as a whole.

Mayor Valdes-Fauli: Okay, thank you. Thank you very much. We're going to listen from the public, and I'm going to impose a time limit for everybody who's going to speak, except for two people. One is Karelia, and the other one is Ellen Ugucioni, who I'd like to call to the podium now. Ellen Ugucioni was our historic preservation officer for many years. She was responsible for the restoration of The Biltmore, the Youth Center, and many, many other properties, and she has something to say about this. Ellen, welcome, and thank you for participating.

Ellen Ugucioni: Thank you, Mr. Mayor, members of the Commission. Good morning, City Manager, and new to me, City Attorney. Before this...

City Attorney Ramos: Before you begin, if you could state your name and address...

Ms. Ugucioni: I thought I was that famous.

City Attorney Ramos: For the record, and I'll ask that of everyone who's going to speak.

(COMMENTS MADE OFF THE RECORD)

Ms. Ugucioni: My name is Ellen...

City Attorney Ramos: They can't hear you. They're saying if you could move up.

Ms. Uguccioni: My name is Ellen Uguccioni. For the Clerk, U-G-U-C-C-I-O-N-I. I live at 1115 Obispo Avenue, in Coral Gables, Florida. Is that it? Okay. Before this millennium began, I was the preservation officer here in Coral Gables. It has and will be the highlight of my 30-plus year's career. I have pursued my career through different cities and state agencies, and I felt I had to appear at this meeting, because it is so critical. Back in the, I believe, 1990s, our office wrote a report on the entrances and plazas of Coral Gables, in which we called out the exquisite planning that occurred to introduce people into different avenues where there are a great deal of grass, median space and so forth. And that is part and parcel of the plan of the City. We lost the Le Jeune Plaza entrance. I don't know if you've seen a picture of that or not. I think it's in one of the pictures that was submitted. And I -- before I forget, I want to congratulate Ms. Spain and her crew for what I think is one of the best written designation reports I've ever seen and the most carefully researched one. I am -- first, when I heard the -- from Andres Viglucci's report in the Herald, my first response was this is too altered. In our business -- maybe it's right; maybe it's wrong -- the national government, Coral Gables government, most every government says that the building must possess integrity. And by that, we don't mean telling the truth or anything that we would look at in that regard. It means does the building still have the characteristics that it had originally to convey that character? Does it look Mediterranean? Does it have the parapets and the movements up and down and the cornices and all of those wonderful details that were part and parcel of the design for Coral Gables? I felt it does not. The -- and again, I don't think there was any ill-conceived notions on the part of the owners in doing the alterations they did. They did it for business purposes without regard for the architecture at that moment when they did these things. I really think they have so obliterated those things that are important to what were two buildings on this site -- the filling station is essentially gone, which was the first, as I understand it. And so, I wrote to the Mayor, who, I believe, copied all of you, and said I don't believe this qualifies on the basis of its loss of integrity, which I believe is what the Historic Preservation Board determined. Is it an important building? It is a ten, in my opinion.

It is an entrance point into the City, which was originally planned as an entrance and developed as an entrance. And you saw in one of the pictures, the piers and there was a -- I believe, a pool of water in front of those things. So, when I heard you today, Commissioners, I was so pleased with your comments about let's see about what we can do to suggest compromise, a solution that maintains the importance of that corner. And, I went so far as to say -- in a subsequent email -- that to recreate the piers at that location. Of course, you have development on the other side of the LaSalle Cleaner's, so I'm not sure that's possible or advisable, but I do think it requires study because there's an opportunity here for you to make that corner much more beautiful. I think -- I don't know if it's a surface parking lot or a parking garage that you were looking into, but I think a surface parking lot is anathema, which is the strongest word I have to suggest to you that you have really made Coral Gables less than what I think it is and what it should be. So, based on my understanding of the designation report, my observations of the building and the difficult decisions that you have to make here, I think it's wise to look at this very, very closely, to take time to see how you can, in an urban planning standpoint, make this corner as visible, as beautiful, and as Coral Gables-ish as possible. And I thank you for your time.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Thank you, Ellen. Thank you very much.

(APPLAUSE)

Mayor Valdes-Fauli: Karelia, please. We have heard from you and your people. You have the floor, and you know, please be concise. I didn't say brief; concise.

Karelia Martinez Carbonell: Don't worry. I'm not going to read all of this.

Mayor Valdes-Fauli: I hope not because I wouldn't let you.

Ms. Martinez Carbonell: First of all, I want to thank each and every one of you, because we're here really for a second opportunity to preserve one of -- basically, the birthplace of Coral Gables. And, I say that with the designation report as the resource. But, we now know how important this building is. We know that it was George Merrick's construction company. I mean, that's where Coral Gables basically began, you know, in terms of building the city. All that is in the report. The report is -- to quote Ellen's words -- brilliant. And so, we can't right that wrong back in February of 2017. It's something that, at this point, we can't go back. But we can -- we're at the present and we have a chance to really right -- right it, right a wrong. So, what -- you know, I want to, just for the record -- and this building, it's the first office of the Coral Gables Construction Company, and it was responsible for building the vast portions of the City in the 1920s. The building precedes the City Hall that we're in today. It's also -- you know, that area of the business district is included in the now landmarked Coral Gables Historic City Plan. The building actually was also a significant structure in a survey that the Miami-Dade County came up with. So, here we are today, and I want to thank Commissioner Mena for taking the leadership on this, where we're asking to save the building, however it can be done. And, we ask that it would be fair to all parties involved to rescind the lease that basically the condition was to demolish the building, to go back to the drawing board and think about that patrimonial heritage of that property and, hopefully, then we can move forward in some way -- and I'm leaving it up to the leaders of our city to come up with a resolution that benefits historic preservation. So, I thank you.

Mayor Valdes-Fauli: Thank you, Karelia.

Commissioner Mena: Thank you.

Mayor Valdes-Fauli: Thank you very much.

City Attorney Ramos: As the...

Mayor Valdes-Fauli: We have...

City Attorney Ramos: Next person comes up -- sir, if you want to call them up, I'll just make a comment as they come up to the podium.

Mayor Valdes-Fauli: Okay, we have Thor Bruce, who doesn't want to speak. And then I would like to call -- I have many cards here. I will give you a two-minute -- I mean, Karelia has spoken as the spokesperson for the group, and Ellen Uguccioni, as an expert and a former City historic preservation officer. I'd like to call Gay Bondurant, please, to speak, and you will have two minutes to say your...

City Attorney Ramos: As she comes up, I'd just like to clarify that LaSalle had come to the City back in September of 2016 for a historical significance determination, because they were looking to demolish the building. So, it wasn't the City's potential parking lease agreement that led them to want to demolish the building. That was something they were considering well before we entered into that -- or we contemplated...

Mayor Valdes-Fauli: So, they wanted...

City Attorney Ramos: Entering into the agreement.

Mayor Valdes-Fauli: To demolish?

City Attorney Ramos: They seemed to want to demolish...

Commissioner Keon: They wanted to demolish.

City Attorney Ramos: Way before we talked to them...

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: About a parking lease.

Commissioner Keon: And they have been issued a demolition permit.

City Attorney Ramos: They have not yet been issued, but it is in the Building Department.

Commissioner Keon: It is in the Building Department.

Mayor Valdes-Fauli: Okay, Gay Bondurant, please.

Gay Bondurant: Good morning, lady and gentlemen of the Commission, and Ms. City Manager. My name is Gay Bondurant. B-O-N-D-U-R-A-N-T. I reside at 446 Alcazar Avenue, where I've lived for the past 40 years. I've been a resident of the City of Coral Gables very close to 70 years. In a matter of the property referred to here today as the LaSalle building, my association with it may seem remote; however, I will simply say that the first house I lived in in Coral Gables was at 434 Aragon, only a very short distance from the subject building. For some reason, random bits of information tend to stick in my mind and I remember this building with the porte-cochere, which no longer exists. I also remember that my mother used the clock on top of City Hall as the kitchen clock, but that's another story. More to the point, I've spoken on the LaSalle building issue before the Historic Preservation Board at an earlier date. For the record, everything I know about historic preservation I learned from Ellen Ugucioni and Dona Spain. For the record, I previously served on the City's Historic Preservation Board for a period of eight years and was chair of that board for one year. I was recently awarded for my efforts in advocacy for historic preservation by the Dade Heritage Trust. Therefore, it is not my modus operandi to generally encourage or support destruction of historic buildings, with the keyword here being historic buildings. It's my recollection that when this building was previous brought before the HP Board, the Board found it did not meet the standards for designation. Now, unless

something has changed dramatically since that board adjudication, it is my belief that it has not magically regenerated the original architectural features which would have contributed to its being designated. The portico and exterior stairs were demolished. The windows were bricked up, and any of its other more delicate embellishments were removed and/or covered over with plaster. But more important, in my eight years on the HP Board, I do not remember ever having a building which had been properly researched, presented to the Board, considered and found not to meet with the Board's approval for designation to then be resurrected from the grave, so to speak, and given a posthumous chance to attain the golden ring of designation. Finally, where does the process stop? Thank you for your attention.

Mayor Valdes-Fauli: Thank you, ma'am. Thank you very much for your participation. Dr. Josephine Johnson. Dr. Johnson. Oh, there she is. Good morning.

Josephine Johnson: Good morning. Here is the face that went with the emails.

Mayor Valdes-Fauli: There.

Ms. Johnson: Yes.

Mayor Valdes-Fauli: Perfect. Now, we can hear you.

Ms. Johnson: Thank you. We have saved South Beach, the Coconut Grove Playhouse, and now we have this wonderful opportunity to save the heartbeat of George Merrick. I would not want my grandchildren or their children to know that anyone in the City of Coral Gables, where my children were born, would pull the plug on something that's going to be a gift not only to this city, but to all the tourists who come here and are welcomed by, perhaps, a beautiful, welcoming place for tourists. But whatever we do, we must have more imagination than a parking lot. You will find the space somewhere else; I know you will. And, I thank you for the spirit that's in this

City Hall today and your willingness to work with everyone in the city to create something that is beautiful, as beautiful as the City Beautiful should be.

Mayor Valdes-Fauli: Thank you, ma'am.

Ms. Johnson: Thank you.

Mayor Valdes-Fauli: Thank you very much.

(APPLAUSE)

Mayor Valdes-Fauli: No, please, please, please. Let's not. Mary Anne Danguillecourt. Hello.

Mary Anne Danguillecourt: Yeah, Mary Anne Danguillecourt. I'm a resident of Coral Gables, 541 Hardee Road, French Country Village, historic house. And yeah, the City Beautiful. So, like the parking lot with 35 parking spaces, I don't know, it doesn't seem to be very beautiful. So, like the LaSalle Cleaner's had a lot of alterations done, but from what I understand that they're all reversible. I'm the secretary of the Historic Preservation of Coral Gables, so I listen to all the stuff that happens in our meetings. So, like I said, I think -- I've learned that it is reversible and not the best use of the space in keeping with the City Beautiful, which Coral Gables is trying to pride itself on. Thank you very much.

Mayor Valdes-Fauli: Thank you, ma'am. I would like to remind everybody here that if you want to speak, you have to fill one of these cards, and I will call you up. But if you don't fill a card, I'm not going to call you up. So, please, if you want to speak, fill one of these cards over here with the City Clerk. Robert Ruano. Robert Ruano. Good morning, sir. Good morning.

Robert Ruano: Good morning, Mayor and Commissioners. I've known about the LaSalle building for many years. Like all of you, I didn't really know too much about it until about two

years ago. Looking for parkland in the North Ponce area, called your Development Director and said, this building is for sale. First thing he told me is they want too much money. They want \$7 million for that building. Flash forward to last year, you tried to designate it. You tried to do the right thing. But, I think this is a situation where your right hand was doing the right thing and your left hand was doing the wrong thing. At the Historic Preservation meeting, there was talk that the building was deteriorating, which it was not. It passed recertification in 2015. That there was lot diminishment, which wasn't proven -- lot diminishment dealing with the criteria for preservation. There was talk that the exterior stairs were taken out. They're still there. They're just covered up. I think you have a great opportunity here to rescind your resolution and not be a party to this building's destruction. And then, further, after this process and after you save this building, you go back and look at the process and you look at what led you to this point because your Historic Preservation staff put the best report together that I've ever seen, and then you still voted against -- the Board voted against it, like they have a right to. Nobody appealed it, which is very strange, but then, a year later, you are -- you put -- you are -- you have a lease in front of you to demolish the building. You're a party -- right now, you're a party to this building's destruction. This is one of Merrick's buildings and it's just slipping through. Without all this outcry, this building would have been demolished right now. So, hopefully, you will return -- rescind this resolution and then, after this, look at the process and, hopefully, fix it so it doesn't happen again.

Mayor Valdes-Fauli: Thank you, sir.

(APPLAUSE)

Mayor Valdes-Fauli: I'm going to clear the room, if you keep clapping, please. Madam, I'm going to clear the room, all right? No clapping, no booing, no whatever. Please, respect for the process. Amy Brigham -- Amy Brigham, and I can't read the -- Amy Brigham what?

Amy Brigham Boulris: Boulris.

Mayor Valdes-Fauli: Boulris.

Ms. Brigham Boulris: Thank you, Mr. Mayor.

Mayor Valdes-Fauli: Yes, ma'am.

Ms. Brigham Boulris: Good morning. Amy Brigham Boulris, for the record.

Mayor Valdes-Fauli: Boulris.

Ms. Brigham Boulris: Gunster Yoakley; address, 600 Brickell Avenue, Suite 3500. I'm here in representation of the landowner of the subject property, MLL -- MML Properties, whose principal is Mirella LaSalle, as many of you know. Thank you for the opportunity to speak this morning.

Mayor Valdes-Fauli: So, you represent Mrs. LaSalle?

Ms. Brigham Boulris: And MML Properties.

Mayor Valdes-Fauli: Okay.

Ms. Brigham Boulris: Thank you, Your Honor. I am very inspired. I'm honored to represent Mrs. LaSalle and her company. I'm also very inspired to speak in front of the leadership in this room, from the collective continent of Africa. I was very moved this morning in how wonderful they could watch this civil debate and watch our First Amendment at play, where the public and everyone exercised the right of free speech. It's a beautiful thing. They can watch due process at play. Even in the memo written by your City Attorney, it's riddled with notions of due process, what legal issues have been settled, what cannot be revisited because of the rule of law

that the landowner's entitled to rely upon. It's a beautiful thing. And now that there's talk of acquiring the property, possibly for historic preservation or parking or aesthetic purposes, or maybe a combination of those things, those are potential public purposes and now our Fifth Amendment could be at play. It's a beautiful thing that we get to civilly debate here this morning in front of this very distinguished audience. So, I'm just honored to be a part of it on behalf of the landowner. And from that perspective, let me just mention that I appreciate the candor of the Historic Resources Department, you know, in stating through the City Attorney today that there are no changed circumstances or new evidence that would create any legitimacy to revisit the historic designation. And I appreciate the candor of councilmembers about that. Similarly, there is no legal basis to stay a demolition permit that my clients have been pursuing since 2016, in good faith. They have taken a lot of actions in detrimental reliance on the findings that were full, fair and formally decided according to your Code, by the Historic Preservation Board, that their property does not meet the criteria for designation. They have dutifully followed all the rules to pursue a demolition permit that they are on the cusp of being totally entitled to have. And an interest by the City in purchasing the property -- if there is such an interest, and I don't presume what you'll vote today -- is not a legal basis to slow down or deny a demolition permit. So, I'm here to just say they're entitled to their due process and a timely issuance of a demo permit. If they want to, on a voluntary basis, to discuss with the City potential purchase, that's something that should be on a voluntary basis and those two issues are not linked as a matter of due process.

Mayor Valdes-Fauli: Please conclude, ma'am.

Ms. Brigham Boulris: Thank you, Mr. Mayor. Should you decide to rescind...

Mayor Valdes-Fauli: Could you close that door, please?

Ms. Brigham Boulris: Thank you. And I'd like at least equal time to...

Mayor Valdes-Fauli: No, go ahead, but...

Ms. Brigham Boulris: Thank you.

Mayor Valdes-Fauli: Please conclude.

Ms. Brigham Boulris: Should you decide to rescind your resolution to enter into a lease with MML Properties, it is certainly within your prerogative. Mrs. LaSalle is quite upset by the press to reconsider historic designation. She may want to suspend negotiations until the demolition permit is properly granted, but that doesn't mean that she won't talk to you. It's just that, you know, that lease was on a friendly rent basis for an interim use for parking. As you've mentioned Commissioner Mena, it's a property that is a valuable property. It's a corner location and a prominent location on a prominent road.

Mayor Valdes-Fauli: Please conclude, yeah.

Ms. Brigham Boulris: Yes, sir. And you know, that's worthy of consideration. Parking, from her perspective, either under the draft lease was an interim use. So, we can have that discussion, but linking that to the demolition permitting would be very improper. Thank you.

Mayor Valdes-Fauli: Thank you, ma'am. Thank you very much. Let me ask a quick question. The Historic Board decided that it was not historic anymore. They filed the permit for a demolition -- I mean, for a demolition permit and if they want, they can come and demolish it tomorrow?

City Attorney Ramos: They have to go through the process to obtain a demolition permit. There are about...

Mayor Valdes-Fauli: Yeah, but the...

City Attorney Ramos: Ten or twelve...

Mayor Valdes-Fauli: Historic Board...

City Attorney Ramos: That's only one prong. There's about ten or twelve different things that have to be done in order to obtain...

Mayor Valdes-Fauli: But from a historic point of view.

City Attorney Ramos: From a historic point of view, there's just the one, which is...

Mayor Valdes-Fauli: And they...

City Attorney Ramos: Going to the board. That's done.

Mayor Valdes-Fauli: And they can demolish from a historic point of view?

City Attorney Ramos: Correct.

Mayor Valdes-Fauli: Okay, thank you.

City Attorney Ramos: But they have to fill all the other requirements.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: Once they've filled them, however, the City must proceed...

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: To issue the...

Mayor Valdes-Fauli: From a...

City Attorney Ramos: Demolition permit.

Mayor Valdes-Fauli: Historic, they can. Joseph Martucci, 430 Mendoza. Joseph Martucci.
Good morning, sir.

Joseph Martucci: Good morning, Mr. Mayor and Commissioners.

Mayor Valdes-Fauli: Good morning.

Mr. Martucci: I am here to urge basically -- I'm from 430 Mendoza Avenue, Coral Gables.

Mayor Valdes-Fauli: Alright.

Mr. Martucci: I'm here to urge that you would rescind that resolution and the parking lease. I think you should look, as I believe there were discussions at the prior meeting about other uses, better uses. I would submit that surface parking for 30 or 35 parking spaces is probably one of the worst uses of this particular property in the city. It's not something you (INAUDIBLE) for.

Mayor Valdes-Fauli: I disagree with many of the things that have been said or not said, but I agree with that one very much.

Mr. Martucci: Thank you. I would urge that you would look for other alternative uses. And particularly, when you have other alternative uses, it's not going to be something that's temporary. A 30- or 35-space parking -- surface parking is probably temporary, and at some

point, the owner, looking for even more money, is going to be looking to then sell it for some other high-rise development. So, it can be a one- or two-step process by the owner to get to what they ultimately want, which is some other high-rise. The building has got historical significance. We all know that. I would find it completely ironic that a building that was the offices of Merrick's construction company, across the street from the statue of Merrick and from City Hall would be demolished. There's not just that it has, you know, the approval of the board for historical designation makes it worthwhile to keep it. There's a lot of other reasons to keep a building, and there are many reasons there, and you can use it for a lot of other purposes. And, I just say that the Commission here is really the last best chance to save that building. And, as I think other people a lot more eloquent than me have said, an error does not become a mistake until you fail to take the corrective action when you had the opportunity. And I would urge you to do that today.

Mayor Valdes-Fauli: Thank you, sir. Pat Button, 1245 Obispo. Pat. Good morning.

Pat Button: Good morning. Yes, good morning. It's a pleasure to be here. I want to say I've lived at 1245 Obispo Avenue since 1975. I've seen a lot of changes in the city. Many have been demolitions of -- or rearrangements of homes and other historical places that have not been according to the original Mediterranean plan. I urge the Commission and the Mayor to rescind the order to demolition of the building at LaSalle on Le Jeune Road. I know we're in dire need of a tourist office. It would be a great place to put it. And, I hope that that will be considered with my name to urge this to happen. Thank you.

Mayor Valdes-Fauli: Thank you, ma'am.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Thank you very much. Arva Moore Parks. Good morning.

Arva Moore Parks: Good morning, Mr. Mayor and members of the Commission. I think you know that you had the first preservation ordinance in Coral Gables.

Mayor Valdes-Fauli: Arva, I can't hear a thing.

Vice Mayor Quesada: Yeah.

Ms. Moore Parks: I think you all know that you had the first preservation ordinance in all of South Florida, and I had the honor of serving as your first chair, which makes me the first chair of the preservation ordinance in South Florida. I lived on South Greenway drive. I moved there in 1971, Walter de Garmo designed house, which was later designated. This really upsets me because George Merrick had his main office on Flagler Street until he moved into that building in 1923. That's before Coral Gables, of course, was a city. It was one of the earliest commercial examples of Mediterranean style architecture. It's a miracle upon a miracle that it's still intact, except for the porte-cochère. Two of the city's leading -- state's leading preservation architects, John Fullerton and Rich Heisenbottle both say it is fully restorable and there's enough of the original building in tact to do so. Andres Viglucci uncovered that structural report that I sent to every one of you. That was never shown, even though the owner had it. And I -- instead, it was said it was falling down, which was simply not true. And yet, it didn't even need to be recertified for ten years from '17. I believe very strongly and having stood before this Commission -- not maybe this one, but a Commission many, many times, where there is a will, there is a way. And there's only one first in anybody's city. This is only one first. It is an entry feature, especially between the entry feature of Miracle Mile and Alhambra now. It can be again. Several people I've talked to -- Pat, particularly -- about building an addition behind City Hall. This is a perfect place to have City offices, right across the street in a historic building. And the City owns the parking lot, so it could even add to it in an appropriate way. The owner needs to know that if it's designated, they get transfer of development rights, which she could -- they could sell and they could use that money to restore the building. So, the idea of it -- it's a poor, widow who can't afford it, that also is not true because the TDRs make it possible. Then,

if it was restored, then the owner could turn around and sell it, so that's a double benefit. And the most important thing, though, is that this wonderful City Commission has to set an example for -- you tell developers frequently they can't do things. Well, you've got to prove that you're going to be the leader to make sure that this first building's safe.

Mayor Valdes-Fauli: Thank you.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Thank you, Arva. And Sallye Jude is the last card I have here and the last person to speak. Sallye. Good morning, Sallye. Welcome to City Hall. This is also historic.

Sallye Jude: I'm Sallye Jude, and I live at 416 Vizcaya Avenue. I've lived in the city for over 55 years. I feel that this building merits your rescinding your ordinance and sending it back to the Historic Preservation Board for them to review it again. In the report, they reviewed only that it was in poor shape. None of the important elements were brought out as part of that report that I've seen. I would like to go a step further and suggest this could be a wonderful visitor's center for Coral Gables and the extra space could provide you with the office space that you so sorely need. So, please think about this as a long-term future. Thank you.

Mayor Valdes-Fauli: Thank you, Sallye.

Commissioner Mena: Thank you.

Mayor Valdes-Fauli: Alright, the public has spoken, and I will hear from our City Attorney.

City Attorney Ramos: I think it's helpful to hear from Ms. Spain, if she's in the room. And Mr. Iglesias also wanted to...

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: Address the Commission, although I don't see ACM Iglesias.

Commissioner Mena: Yeah. I think -- can I just say something very quickly? A lot of the suggestions that have been made, I think, are wonderful suggestions. What I just want to be careful with here -- and I spoke about this with some of the individuals I met with yesterday -- Ms. Spain, who's about to speak, will tell you -- because she said -- told me yesterday, while she wrote -- and her office wrote a wonderful report -- designation report with respect to this building...

Historic Preservation Officer Spain: Yes.

Commissioner Mena: She also stands by her decision not to appeal the decision of the board.

Historic Preservation Officer Spain: That's right.

Commissioner Mena: Because, she feels that they made an informed decision and that they followed the process. Is that...

Historic Preservation Officer Spain: That's exactly what I was going to...

Commissioner Mena: What you said to me? No, so I think that's really important for people to understand when we talk about an error or -- you know, there was a process followed and Ms. Spain, who I think just about everybody in this room who is -- considers herself (sic) a preservationist, has a lot of respect for, made a decision and so that's how we are where we are and we have to stand by that decision and honor that process. The other part, I just want to be careful with. You know, we don't have the ability to require this property owner to do anything, as the attorney for the owner said. And I think it's important to note. I don't think the property

owner's done anything wrong here. I don't think anybody's done anything wrong here. I think a process took place and now we're trying to save this building from being demolished because we'd all like to see that, but you know, all we can do is engage in a good faith discussion with the owner. We -- my position, at least, is that we should endeavor to do that and see what we could come up with because I do -- somebody said, where there's a will, there's a way. I agree with that. But the reality is it's incumbent -- at the end of the day, it's going to be the owner's decision what happens here. And so, we have to respect that, but we can also play our part to try to make something happen here that everybody will be happy with. So, I just want to clarify some of those things from the different comments that I heard.

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: Sorry.

Historic Preservation Officer Spain: You just said...

Mayor Valdes-Fauli: Go ahead.

Historic Preservation Officer Spain: What I was going to say. I think the Historic Preservation Board did not make a mistake. They made an informed decision. They read that report -- they directed that report. They directed us to make the best argument that staff could to designate the building. And Elizabeth Guin wrote an amazing report. They read the report. They considered that. They considered the alterations to the building. They didn't believe there was enough historic fabric in the building to merit designation. And I was comfortable with that. They had a very good discussion. I would encourage those people that have only read the designation report to read the verbatim transcript of the meeting, because they really got into a lot of discussions. The -- I know it's been said about the structure of the building. That's not part of the criteria. That's separate and apart from their consideration to not designate the building. We've been very consistent doing that. And if the building had been designated as historic, those arguments

for either economic hardship or the -- it wasn't structurally sound, that would be as part of the certificate of appropriateness to the board. And so, I think the proper processes were followed now. I just need to make clear that if the owner wants to demolish that building, I am obligated to sign for the demolition permit. So, I just need to have that on the record that we can't -- I don't believe we can hold that up.

City Attorney Ramos: You cannot. Dona...

Commissioner Lago: I don't...

City Attorney Ramos: That's correct.

Commissioner Lago: I don't think anybody's saying that.

Historic Preservation Officer Spain: Okay. I just wanted...

Commissioner Lago: And I think...

Historic Preservation Officer Spain: Everyone here to understand...

Commissioner Lago: I don't want you to feel that...

Historic Preservation Officer Spain: That if the building comes down with my signature, you know, it's because of proper process.

Commissioner Lago: Dona, we've met on multiple occasions, and Commissioner Mena mentioned it. That's not what this Commission wants to do. We have the utmost respect for the owners of that building. But, again, there's a gentleman that stood up here before -- and I feel

that I've made an error and I voted for something -- and I have the actual resolution here, which was 2018...

Mayor Valdes-Fauli: We know the resolution.

Commissioner Lago: No. I just want to put it on the record -- 2018-126, and I don't want my fingerprints on a resolution that could eventually lead...

Historic Preservation Officer Spain: To a demolition.

Commissioner Lago: To a demolition, even though the City's not demolishing it. And that's just -- that's one issue. The second issue is what we've discussed -- and I think we mentioned it for a third time -- and maybe I'll mention it for a fourth. I want to work in good faith. And I don't want the owner to feel uncomfortable that, you know, the City is going against them. We're not. We want to potentially sit down and have a conversation and explore every avenue. If it's TDRs, if it's the City finding a use for the building, if it's them restoring the building to its glory days, designating it, the City purchasing it -- if we could somehow, some way find the money to do it, or them selling it to an end user that will be happy with a historic building. It's in a spectacular location, like the attorney that represents the owner said. So, I think that's the end goal. You know, we're not here to harm anybody. You know...

Historic Preservation Officer Spain: That's right.

Commissioner Lago: I'm taking in consideration a lot of new information. I've been involved -- not all of you know, but I was involved with the renovation of an historic building, which was George Merrick -- we had a long discussion about this last night, which was George Merrick's second office, which is where Mediterranean Village was. Now, it's the plaza, and I was the junior, junior, junior, junior superintendent, you know...

Historic Preservation Officer Spain: I didn't know that...

Commissioner Lago: Picking up...

Historic Preservation Officer Spain: Until yesterday. I didn't realize you were involved in that.

Commissioner Lago: For an individual whose now passed, a distinguished gentleman by the name of Ralph Sanchez. I worked for him.

Mayor Valdes-Fauli: Why don't we -- yeah.

Commissioner Lago: Yeah, he was a gentleman that was a consummate gentleman, 15 years ago. I learned a lot from him. And Dona Spain's team, you know, put us through the wringer in restoring a building, which deserved to be restored. And we spent a lot of money -- not I. Mr. Sanchez spent a lot of money to make sure that that building was brought back to its glory days. And if you ever get a chance, I recommend you go by and check it out if you haven't because...

Mayor Valdes-Fauli: I know, I have.

Commissioner Lago: It's a pretty spectacular building. And that was George Merrick's...

City Manager Swanson-Rivenbark: And he was really proud of all of that work.

Mayor Valdes-Fauli: Yeah, we are.

Commissioner Lago: I think you hit the nail right on the head. He was so proud of that building and what he was able to achieve. And you know, it was through his efforts -- and I don't think we ever gave him the credit that he deserves. We should put a plaque on that building, even though now it's changed hands to the Agave Group.

Historic Preservation Officer Spain: That would be very nice to do that.

Mayor Valdes-Fauli: But they will do it.

Historic Preservation Officer Spain: He was a wonderful man.

Commissioner Lago: Yeah, because he fought long and hard to make that -- I'm bringing this up and I want to cut to the chase. I know that we have a lot of people here and a long agenda, and I don't want to take away more time from my colleagues. Let's try to find a way. Let's have a discussion, an open discussion with the owners and see if we can find common ground.

Historic Preservation Officer Spain: I'm happy to be part of that.

Commissioner Lago: But we're not here -- we can't stop the process. That's already -- that ship has sailed.

Mayor Valdes-Fauli: Can we -- Peter Iglesias wanted to say something. Yes, and then I will close the meeting for discussion among the Commissioners and the Mayor, please. Pete.

Assistant City Manager Iglesias: Yes, Mr. Mayor. The fact that the building is no longer designated a historical structure means that there is no exemption from the Building Code for a historical building. The building has been -- has had substantial work done inside, so the restoration of the building would be in accordance with the full criteria of the Building Code, so - - which means that designed for wind impact and so forth, like we have in the current code. The only way that I can grant a historical exemption as a building official would be to a designated structure. That structure is not designated, so the restoration would have to comply 100 percent with the current building code, and that is a hard thing for historical structures to meet, very hard. If I were to apply that to Vizcaya, when I was in Miami, or the Biltmore here, we wouldn't have

those structures here. So, it's -- just wanted to make the Commission aware that I no longer have that historical exemption to use, like we've used on the Biltmore, that we could use in 2506, and various other buildings that are currently designated.

Mayor Valdes-Fauli: Thank you. Thank you.

Commissioner Keon: Can I ask...

Mayor Valdes-Fauli: Let me...

Commissioner Keon: One question, please, of Peter?

Mayor Valdes-Fauli: Yes, ask questions.

Commissioner Keon: Peter, can you speak to the issue of the certification of the building, the 40-year certification by the County? Can a building that is certified still be a deteriorating building?

Assistant City Manager Iglesias: The building was certified, but it was -- the upper floors were not certified. The upper floors were to remain closed. The building was just certified for the bottom floor.

Commissioner Keon: So, the only certification was the bottom floor.

Assistant City Manager Iglesias: The bottom floor.

Commissioner Keon: So, there is no conflict when -- in saying that the building was deteriorating and yet can be certified. Is that right?

Assistant City Manager Iglesias: Correct. Because...

Commissioner Keon: Okay.

Assistant City Manager Iglesias: The top floor could have been used for minor -- for...

Commissioner Keon: For storage.

Assistant City Manager Iglesias: For storage, but certainly...

Commissioner Keon: But they weren't habitable.

Assistant City Manager Iglesias: Not habitable space, no.

Commissioner Keon: Okay.

Assistant City Manager Iglesias: It was certified exempting the top floors.

Commissioner Keon: Thank you.

Commissioner Lago: Peter, and first off, I appreciate your opinion and I respect it because, again, I feel that sometimes you're a mentor to a lot of people who have been in the same industry as you have. You know very well because you are familiar with what was occurring at the building that I worked on 15 years ago, three floors. That building was, in my opinion -- I don't know if you agree -- but probably in worse shape than this building is today to the extent that we had to gunite all the walls, and that's the first time I had ever done that. I never experienced that type of construction, you know, endeavor. And -- because the walls were -- you know, it was delaminating. The concrete -- not only from the exterior, but from the interior. And all the rebar will exposed and, you know, there was even a fear the building would collapse.

So, I -- I mean, I'm just asking if you agree. It doesn't meet the code now, but if a construction, you know, endeavor was -- you know, if we made the commitment or whoever was the future owner of the building or whatever the -- if the owners currently made the commitment to bring that building up to Code, do you think it's a possibility?

Mayor Valdes-Fauli: Yeah, but there's a difference there...

Commissioner Lago: I'm asking...

Mayor Valdes-Fauli: Commissioner. The difference is...

Commissioner Lago: No, no. I'm asking him. I'm just asking because...

Mayor Valdes-Fauli: You mentioned before...

Commissioner Lago: If he tells me no, then I -- if he tells me no, then I understand.

Mayor Valdes-Fauli: You had Ralph Sanchez as the owner who committed to bringing it up to par...

Commissioner Lago: Of course.

Mayor Valdes-Fauli: And here we --the owner wants to tear it down...

Assistant City Manager Iglesias: But to...

Mayor Valdes-Fauli: (INAUDIBLE) demolition.

Assistant City Manager Iglesias: But to be clear, Commissioner, that building is not up to Code. Since it was a historical building, we used the historical exemption. And, what we've worked out with the Board of Rules and Appeals is to use a minimal category 1 hurricane, so that means 73 miles an hour.

Commissioner Lago: I agree, no, no.

Assistant City Manager Iglesias: And so...

Commissioner Lago: That's not even the question. I'm saying the structural integrity of the building.

Assistant City Manager Iglesias: And so, since it was historically designated, we used 73 miles an hour, with the understanding that that building cannot be occupied during a hurricane.

Commissioner Lago: Of course.

City Attorney Ramos: I just need...

Assistant City Manager Iglesias: And...

City Attorney Ramos: To correct the record. The building has never been historically...

Commissioner Mena: Correct.

City Attorney Ramos: Designated.

Commissioner Lago: Never.

Commissioner Keon: Never.

Assistant City Manager Iglesias: No, but I'm talking about the...

Historic Preservation Officer Spain: He's talking...

Assistant City Manager Iglesias: Ferguson Glasgow.

Historic Preservation Officer Spain: About the one owned by Ralph Sanchez.

City Attorney Ramos: I know, but I just want to make the record clear that, in terms of historic designation, the building's never been historically designated.

Commissioner Lago: Never.

Assistant City Manager Iglesias: I am...

Commissioner Lago: Never been.

Mayor Valdes-Fauli: Can I...

Assistant City Manager Iglesias: I'm currently talking about the old Ferguson Glasgow building, which is part of the Agave property.

City Attorney Ramos: Okay.

Assistant City Manager Iglesias: So, just to clarify. And so, we did not use the entire -- now, if you have to design now for the current hurricane based...

Commissioner Lago: Windows.

Assistant City Manager Iglesias: On the codes, the codes would be two and a half, three times more, so it would be a whole different ballgame. So, that -- so, what we deal with historical structures is a -- you have two choices. You have almost a demo issue or you have a reduced building code requirement based on the fact that the structure will be safe except for a -- for -- under hurricane loads. In other words, it meets the minimum hurricane criteria. So, if there's a hurricane warning issued, which is a definable point, Commissioner, then that structure should not be occupied at that point. So, it was the understanding that the old Ferguson Glasgow Schuster building would not be occupied during a hurricane. That ability, I don't have on this building.

Historic Preservation Officer Spain: Okay, but Peter, that ability to do that still exists on that building. It should...

Commissioner Lago: Yeah.

Historic Preservation Officer Spain: Bring it up to the...

Commissioner Lago: Yes.

Historic Preservation Officer Spain: Current code.

Commissioner Lago: That's my point.

Historic Preservation Officer Spain: It's expensive, but we can do that, and that has been done in the City.

Commissioner Lago: Yes.

Historic Preservation Officer Spain: And we...

Commissioner Lago: And that was done...

Historic Preservation Officer Spain: We discussed Café Demetrio, and it was extremely expensive. And, we've also done residential properties where they've built a wall inside the exterior wall, so the interior wall becomes the envelope.

Assistant City Manager Iglesias: Well, we have...

Historic Preservation Officer Spain: And that just becomes the façade, so it has been done before.

Commissioner Lago: No, and I think...

Assistant City Manager Iglesias: No, no, no. Let me clarify that.

Historic Preservation Officer Spain: Okay.

Assistant City Manager Iglesias: Let me clarify that. Demetrio and all these others, all those projects were done with the fact that they were historical buildings. None -- all -- they were all historical buildings, which means that if they didn't quite meet the code, if they didn't quite make it...

Commissioner Lago: There was some leeway.

Assistant City Manager Iglesias: It was okay.

Commissioner Lago: There was some leeway.

Assistant City Manager Iglesias: There was leeway.

Commissioner Lago: Yeah.

Assistant City Manager Iglesias: I don't have any leeway on this building.

Commissioner Lago: Was that what happened in the museum also, when the museum was renovated?

Assistant City Manager Iglesias: Museum...

Commissioner Lago: Was that a historic building? Was that a historic building?

Historic Preservation Officer Spain: It was already designated.

Commissioner Lago: It was already...

Assistant City Manager Iglesias: Yeah.

Commissioner Lago: No, I just -- I'm asking because I don't know.

Historic Preservation Officer Spain: But Peter...

Assistant City Manager Iglesias: So, can you make 73 miles an hour? Can you make 80? Can you make 85? That's fine.

Historic Preservation Officer Spain: Okay, but...

Assistant City Manager Iglesias: You don't have to make 130 -- 135.

Historic Preservation Officer Spain: Okay, but Peter, on...

Mayor Valdes-Fauli: Okay.

Historic Preservation Officer Spain: On this building that we're discussing now, the LaSalle, what if someone puts back those items and removes those items, those alterations that affected the historic fabric? Let's say that was done first and those alterations were done to code. Then it could be designated. Then it could get the historic exemptions.

Assistant City Manager Iglesias: No.

Commissioner Lago: Yes.

Assistant City Manager Iglesias: No, because you can't put it back the way you have it. It's a catch-22. You see, it's not historically designated, so everything you do has to be to code. Now, you can historically designate it after you finish the work, but it's too late.

Commissioner Lago: Well...

Historic Preservation Officer Spain: But Peter...

Commissioner Lago: For example, like...

Historic Preservation Officer Spain: But Peter, we do additions...

Assistant City Manager Iglesias: It's too late.

Historic Preservation Officer Spain: On historic home -- on homes that are not historic...

Commissioner Lago: But...

Historic Preservation Officer Spain: All the time.

Commissioner Lago: Yeah, and -- but let me ask you a question. Like, for example, the main structure that was removed from here was a porte-cochère. What if we built that porte-cochère to current building standards and we poured the entire object, the entire structure out of solid concrete, not even block, you know, in portions of it, which we know is used to save money and time. Is -- then what we're talking about is just some banding that's missing.

Historic Preservation Officer Spain: Right.

Commissioner Lago: A few windows. I mean, again, correct me if I'm wrong because...

Historic Preservation Officer Spain: Right.

Commissioner Lago: I'm still learning about this building.

Historic Preservation Officer Spain: Right.

Commissioner Lago: I'm still learning. This is a learning process and I don't think anyone in this Commission really understands what has been completely; you know, changed or morphed in this building. In the -- for sure, in the interior, we don't know what's missing. In the exterior, we can kind of see it, but it's still up for debate.

Historic Preservation Officer Spain: But we don't...

Assistant City Manager Iglesias: Once you...

Historic Preservation Officer Spain: Designate the interior.

Commissioner Keon: Interior is not a part of it. It's only...

Commissioner Lago: No, no, I know, but...

Commissioner Keon: The exterior.

Commissioner Lago: I mean, there's -- but there's -- you never know if there's something inside that has any historic value.

Assistant City Manager Iglesias: Once you redo the interior above 50 percent, you fall into a level three alteration.

Historic Preservation Officer Spain: But I'm not talking...

Assistant City Manager Iglesias: And then...

Historic Preservation Officer Spain: About touching the interior right now.

Commissioner Lago: Yeah.

Historic Preservation Officer Spain: I'm saying bring back what's missing on that building from when it was originally built.

Commissioner Lago: And by the way...

Assistant City Manager Iglesias: Whatever...

Commissioner Lago: Just...

Assistant City Manager Iglesias: Whatever is brought back...

Commissioner Lago: And just so I can...

Assistant City Manager Iglesias: Has to be to current code.

Historic Preservation Officer Spain: That's right.

Commissioner Lago: Just so I can answer Commissioner Keon's comments -- and you can tell this very clearly. When you add onto a property, you add a porte-cochère, you add windows, you're going to touch the interior of the building, because you're cutting into the building no matter what. So, you're going to have to restore something in the interior of the building, so it happens because I've done it all. You know, when you're adding -- when you're making an addition -- for example, I just finished a project and I'll give you a very clear example. I just finished a project where Heisenbottle was the architect, and it was Boulevard Shops. It's one of the most historically significant buildings in the City of Miami. It's on the Genting property, on the corner of Biscayne Boulevard. That took us almost two years to do. And I also did the fountain in Miami Beach, where I restored the fountain, which won significant historic prize two years ago. All these projects, no matter if they were exterior façade corrections, they still affected the interior of the building, so you have to take that into consideration.

Assistant City Manager Iglesias: Yes, I know.

Mayor Valdes-Fauli: Let's continue.

Assistant City Manager Iglesias: But...

Mayor Valdes-Fauli: We have a very long...

Assistant City Manager Iglesias: But we have...

Mayor Valdes-Fauli: Agenda and time certain...

Commissioner Lago: But I think...

Mayor Valdes-Fauli: (INAUDIBLE) have to leave. No, no. Let's...

Commissioner Lago: And I -- but I think this is -- and if I may, Mayor, with all due respect, I think this is an important item...

Mayor Valdes-Fauli: No, no, it is important, of course.

Commissioner Lago: That I don't have a problem having a discussion.

Mayor Valdes-Fauli: It is important. Of course, it is.

Commissioner Lago: Commissioner Mena grew a few inches.

Assistant City Manager Iglesias: We'd have to look -- it'd be a difficult...

Mayor Valdes-Fauli: (INAUDIBLE) let's...

Assistant City Manager Iglesias: It would be a difficult project to do. It's currently a level 3 alteration.

Commissioner Lago: Very difficult.

Assistant City Manager Iglesias: With over 30 percent structural. So, we have the entire building -- more than likely, we'd have the entire building code apply before the restoration (INAUDIBLE).

Mayor Valdes-Fauli: Okay, any other questions for Mr. Iglesias...

Commissioner Keon: No.

Mayor Valdes-Fauli: Or Ms. Spain?

Commissioner Keon: Thank you.

Assistant City Manager Iglesias: Thank you.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Anything else?

Commissioner Lago: No, no, no. I just want to make sure that -- if we do...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: If we do enter into a conversation with the owners...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: And we can sit down with them...

Mayor Valdes-Fauli: I'd like to...

Commissioner Lago: You know, that it's fruitful.

Mayor Valdes-Fauli: Put a little perspective into this. And, the perspective has to do with our historical facilities and what we have dedicated to historical facilities in the past. I'm not going to mention 2014-15, where we spent \$1.1 million. In 2017, when we were all here, we spent \$4.3 million in historical renovation. In 2017, we spent \$4.3 million in historic renovation, of which \$1.8 million went to entrances and fountains and \$1.5 million to Merrick House, which is as historic as anything in this city. We also spent -- the Venetian Pool improvements, 520 some thousand dollars; City Hall repairs -- unfortunately, repairs, cottage, and just renovation of various other things. In 2018, we spent \$1.5 million, and that is, again, Biltmore course, bridges. We spent City Hall repairs, more. We spent \$177,000, again, on Merrick House. Jean Ward sculptures, which are not historic. Gondola building restoration, Venetian Pool improvements and part of our historic -- although it wasn't in '18 -- was \$2.7 million for the Fink Studio acquisition. We have spent -- Coral Gables is known for its historic expenditures, for renovating properties, for acquiring historically significant properties. Again, the Venetian Pool improvements in 2015, it was \$790,000. We have City Hall repairs, \$3 million saved for our City Hall improvements. City Hall cottage improvements, historic streetlights. We have money there, \$400,000. Four hundred thousand dollars for 40 lights, is it?

Commissioner Keon: Yeah.

Mayor Valdes-Fauli: White Way lights restoration, \$180,000. These are the 40 lights I was talking about. And so, we are known for our historic expenditures. We're going to spend twenty

some million dollars on the Biltmore and the renovation of The Biltmore Hotel, \$5 million of which is ours for the structure. We cannot be accused of not paying attention to our historic resources, our historic properties. The artist housing on Brooker Avenue, it's \$1,800,000. That's a heck of a lot of money, and it's worthwhile. But, we are known and I'm very proud to say that we do dedicate money to our historic properties, regardless of what turns out to happen here. The owner has filed for a demolition permit and the house is not -- I mean, the property is not historic, so, from a historic point of view, we would issue the demolition permit. But I just wanted to bring our historic facilities, capital operating past and projected expenditures in -- into the light of day, because we cannot be accused -- regardless of what happens here -- on not being historically sensitive. I'd like to hear from the Vice Mayor, and then we'll go down the -- if you want.

Vice Mayor Quesada: Okay, so...

Mayor Valdes-Fauli: Vice Mayor.

Vice Mayor Quesada: Quick thought. I mean, we're talking about a lease here, and the property owner, obviously, wants to make money off that lease. Pretty straightforward. And, the whole idea behind compliance with that lease is to demolish it to have a surface parking lot. Well, what if -- I'm just throwing it out there, because I think everyone's on the same page up here on the dais that we don't want to lose the building. What if we move forward with the lease, but say that -- don't knock down the building. We pay the rent so the building stays where we have some more time to work things out. So, therefore, the landlord isn't prejudiced, you know. They're still getting the monies that they thought they were going to get. Actually, we're saving the landlord money, because they don't have to put money into demolishing the building. Now, it gets a little tricky from there because that's really a negotiation, and I see the attorney for the landlord shaking her head no to that statement, but I hope you'll shake your head yes to considering different options, so that we can meet somewhere in the middle ground. Obviously, I think you're hearing that we want to keep -- and I'm speaking directly to you -- that we honor

the due process, but obviously, everything is a negotiation. Your client wants to be able to make some money off of it. And if we can still comply with that lease and still keep the building, maybe it's a win-win all around. I know we can't get into the details and making the sausage like this, with everyone involved, but it's just one idea. That was actually the City Manager's idea. But I think that's -- I think it makes a lot of sense. At least it's a starting point for a conversation. So, that's where I'm at. Again, I'm in full agreement with Commissioner Lago and Mena on this, but I'm just -- you know, I think we should look for different ways to sort of -- everyone can come out winning...

Mayor Valdes-Fauli: Thank you.

Vice Mayor Quesada: On this.

Mayor Valdes-Fauli: Commissioner Mena.

Commissioner Mena: I think that's an interesting suggestion. The question is where do we go from here right now? You know, obviously, that...

Vice Mayor Quesada: Because if we vote to rescind the lease, then we...

Commissioner Mena: Right.

Vice Mayor Quesada: Can't do that.

Commissioner Mena: Well, there is no lease right now.

Vice Mayor Quesada: Yeah.

Mayor Valdes-Fauli: Yeah, but we approved the lease.

Commissioner Lago: We approved...

Vice Mayor Quesada: Well, rescinding from moving forward to execute.

Mayor Valdes-Fauli: Okay, Commissioner Mena, comments.

Commissioner Mena: Well, I think we need to hear from our City Attorney, though, on this in terms of can we pass a new resolution which essentially instructs the City Manager to continue negotiating the lease, but not a least that would involve demolishing the building and doing parking.

City Attorney Ramos: You can. I think that the most efficient way to do this is to direct the City Manager to consider and give several options because, otherwise, we're going to be back here every month...

Commissioner Mena: Right.

City Attorney Ramos: When one of them falls through.

Commissioner Mena: Right.

City Attorney Ramos: So, we'd like you to consider these five options, and then we can approach the property owner and see if any of them are viable. That could be one of them.

Commissioner Lago: And I think that's a great idea. And I...

Mayor Valdes-Fauli: Commissioner Lago, wait. Are you through?

Commissioner Lago: I just want to...

Commissioner Mena: No. I...

Commissioner Lago: I want to just add something also to Commissioner Mena so we can -- you know, so the whole Commission...

Mayor Valdes-Fauli: Sure.

Commissioner Lago: Can consider it. I think Dona Spain made a very important comment that she has to sign off on the document when it's ready.

Commissioner Mena: Right.

Commissioner Lago: And, there's nothing holding her back from signing off on that document. So, you know, we have our backs against the wall here in the sense of we're limited on time. So, if we're not negotiating with a party that's willing to sit down and take the next two or three months and negotiate with the City Manager and, you know, in good faith in the sense of finding an opportunity to resolve this issue that benefits the community as a whole and that benefits also the owner of the property, I don't want to waste time on that issue. You understand? Because if they're going through the process right now of attaining a building -- excuse me, not a building permit, a demolition permit. The moment it gets in Dona's hands, she has to -- you know, she's required -- I don't know how many days she has, but there's probably, you know, a statute of limitation where she has to sign off on that -- sign off on it.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: I don't know. I mean, you tell me. You guys are the attorneys. I mean, there's got to be...

Vice Mayor Quesada: No, no. I mean, you're right.

Commissioner Lago: She can't just sit there and say I'm going to hold this...

Vice Mayor Quesada: Right.

Commissioner Lago: On my desk...

City Attorney Ramos: No, no, no.

Vice Mayor Quesada: You...

Commissioner Lago: For three months.

City Attorney Ramos: That's true anyway. The negotiation with the owner has to be -- the permit gets issued, and then could you -- would you willingly, voluntarily...

Commissioner Lago: But, that goes back to my comment is if the owner is shaking her head at Commissioner -- at Vice Mayor Quesada's comments, you know, then I'd like to hear from -- if my colleagues agree and the Mayor agrees, I'd like to hear from the owner to see if they're even -- would entertain this scenario, which I think is a great idea, by the way, from the Vice Mayor.

City Attorney Ramos: Mayor, I think it would be helpful to hear from counsel for the property owner.

Mayor Valdes-Fauli: Of course. Yes.

Vice Mayor Quesada: Looking forward to a lot of yes shaking.

Commissioner Lago: Yes. Yes, please, yes, yes.

Ms. Brigham Boulris: I've been authorized to communicate to the counsel a balance here. As I alluded to earlier, there's some laws under which our client is entitled to a demolition permit upon completing all the required criteria, and that's up to the building official. And it's really important that you understand that that cannot be conditioned, the granting of that permit and the timely granting of that permit on doing any particular transaction with the City. And I know you're not suggesting that, but I just want to make sure I'm clear in saying that. However...

Commissioner Lago: We're not asking you to waive your rights.

Ms. Brigham Boulris: Thank you. So, they can't be linked...

Commissioner Lago: We're not.

Ms. Brigham Boulris: Is what I'm saying. So, as long as we're understanding that, I believe MML Properties -- you know, even if they get the building (sic) permit, to which they're entitled, will be voluntarily willing to pause demolition because after getting a permit, they don't have to do it the next day.

City Attorney Ramos: Correct.

Ms. Brigham Boulris: Those demolition permits are good for a matter of months, probably.

City Attorney Ramos: I think six months, but Peter, could you verify that? How long is a demolition permit good for?

Assistant City Manager Iglesias: All permits are good for 180 days.

Ms. Brigham Boulris: So, there'd be a time within which the owner could meet with you and discuss options. So...

Mayor Valdes-Fauli: So, you would be willing to meet -- once you get the demolition permit or when you get -- you'd be willing to meet with us without proceeding with the demolition?

Ms. Brigham Boulris: I've been authorized by my client to say...

Mayor Valdes-Fauli: Right.

Commissioner Mena: That's not the...

Ms. Brigham Boulris: Yes, they'd be willing to...

Commissioner Mena: Question really.

Ms. Brigham Boulris: Okay, I'm sorry. What is the question?

Commissioner Mena: I think the -- well, go ahead. I don't want to put words in your mouth. Go ahead.

Vice Mayor Quesada: Well, you know, you do that -- you know, if that goes through, a whole number of different variables come up at that point. The whole idea for you to demolish was to be in compliance with the discussed and agreed upon lease to execute upon that, so that we have the parking facility available. Is that not correct?

Ms. Brigham Boulris: Not exactly, no.

Vice Mayor Quesada: No?

Ms. Brigham Boulris: No.

Vice Mayor Quesada: Well, then what's the point of it?

Ms. Brigham Boulris: Okay, first of all, the lease has not been executed by either side...

Vice Mayor Quesada: But it's been...

Ms. Brigham Boulris: At this point.

Vice Mayor Quesada: Agreed to.

Ms. Brigham Boulris: It's a draft.

Vice Mayor Quesada: Okay.

Ms. Brigham Boulris: And it's not been executed. Under Florida law, until it's executed, it's not an agreement by either side. There's an important...

Vice Mayor Quesada: Technically, yes, but in principle, we've agreed to the material terms.

Ms. Brigham Boulris: Well, I can agree with you there, but there's an...

Vice Mayor Quesada: You can't? No, so material terms have not been agreed to?

Ms. Brigham Boulris: Let me answer your question.

Vice Mayor Quesada: Okay.

Ms. Brigham Boulris: Let me answer your question. Your question is what's the purpose of that lease. The lease provides, on a friendly rent basis, an interim parking situation, but it was very important to our client that it be subject to a termination clause where if they receive an offer for the property, they want to take -- they can terminate that. There's a penalty they'd have to pay, but they can get out of the lease. It was a very material provision in the draft lease, because our clients have been trying to get the full economic value of this asset. It's the sole asset of an elderly woman and she needs to do well with it. So, the parking use is an interim use. It's never been the highest and best use of the property. So, just to correct your impression, the parking lease is for an interim use to relieve potentially a parking shortage that you currently have. But, the landowner could terminate that lease under the terms of the draft or renegotiated terms of the draft if a good sell came their way. And you know, they were negotiating to try and sell the property before the lease occurred. The lease was the City's, I think, creative idea to try and find an interim use and solve their current parking shortage. So, I just want to explain the...

Vice Mayor Quesada: Okay. That clarifies it.

Ms. Brigham Boulris: Thank you.

Mayor Valdes-Fauli: Okay.

Ms. Brigham Boulris: Thank you.

Mayor Valdes-Fauli: Thank you. Thank you very much. Commissioner Lago, you (INAUDIBLE).

Commissioner Lago: I've spoken enough.

Mayor Valdes-Fauli: Okay.

Commissioner Keon: Thank you.

Mayor Valdes-Fauli: Commissioner Keon.

Commissioner Keon: Thank you.

Mayor Valdes-Fauli: The floor is yours.

Commissioner Keon: You know, I do truly appreciate the efforts and the interest of the people here to come forward in their concern for preserving this building. But, we have a preservation ordinance that has been challenged on a number of occasions and has held up in the courts, and I think that we have an obligation to support that preservation ordinance, regardless of how it may affect a piece of property that you very much want to retain. So, the property was not designated. That board sits as a quasi-judicial board. The determination ends with them. It was not appealed. So, the property is not designated. The property is also in private hands. We cannot compel an owner to do anything with a property that they choose not to do. Unless the property is considered to be deteriorating and is an unsafe structure, you know, then we can go in and we can ensure that public safety is maintained and we don't have a dangerous structure. Short of that, you cannot compel them to restore it in any way. You can't compel them to change the use of it in any way. You can't compel them at all. Those are property rights. And property rights are fundamental to this country; to everything in this country are property rights. And in this city, we are a city of law. We are a city of rules. We are a city of regulations that we abide by and we follow. Now, if, at some point, the owner of this property, you know, is moved to reconsider the use of this property, that's a choice that the owner of the property will make. You know, if there is a desire here to rescind the agreement on parking or just stay that, you know, that's fine. I don't have a problem with that if that gives people an opportunity to speak. But, it's -- I think it's very important to understand that the -- what will happen is going to be

determined by the owner of that property. And, the only thing we can require is that they ensure that that remain a safe structure for as long as it is a structure. So, whatever period of time -- I think we -- if we want to ask them to enter into a discussion with City staff and with the Historic Preservation Department, I'm comfortable with that. I'm comfortable with staying the execution of the parking lease agreement. It was only to be a temporary agreement until they were able to sell the building. It's their building. It's their investment. They will make a determination as to who they want to sell it with. Now, when it comes back up, you know, we have a Board of Architects, we have a lot of rules and regulations that will determine what goes on that site. I don't think that -- I don't know that it would be in the best interest of this city to purchase that property for \$7 million and to restore that building at another tremendous cost when, you know, we are trying to set aside money. And, what is the total -- what is the estimate to restore City Hall?

City Manager Swanson-Rivenbark: It is minimally \$8 million, but we believe...

Commissioner Keon: Okay.

City Manager Swanson-Rivenbark: It's going to be...

Commissioner Keon: So, we know we've got to spend...

City Manager Swanson-Rivenbark: Much more than that.

Commissioner Keon: Eight to ten million dollars to restore this building itself to maintain. And so, if I would have to make a choice as to where I'm going to allocate resources, I will allocate them to preserve those buildings that we have and to designate buildings going forward that meet the designation standards. So, I think this is entirely up to the owner of the property, and we can just ask that they stay the lease agreement for whatever -- some period of time. But, I would like it to be a -- you know, an agreed upon period of time, that it be -- whether it's a month, whether

it's two months, whatever, that it will come back to us at some designated time that is not just infinitum that...

Mayor Valdes-Fauli: Thank you.

Commissioner Keon: Forever and ever, that there be, you know, a -- because they do have rights and we do have an obligation to honor those rights, whether we like it or not. And, would I tell you -- would I like to go buy the building? I'd love to buy the building. Would I like to restore it? I'd love to restore it. But that's not within our way, you know. Although we may have the will, we don't have that way to do. So, I would ask that you would maybe come up with a period of time that you would like them to go back and have that discussion and whatever, you know, the outcome is, through the City Attorney's Office, Historic Preservation, and the Manager's Office, that, you know, they will come back and tell us what they want to do.

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: And...

Mayor Valdes-Fauli: Thank you very much.

Commissioner Mena: I wanted to ask her one more question.

Mayor Valdes-Fauli: Yeah, please.

Commissioner Mena: To the attorneys, if you don't mind. Sorry, I had one more question for you, if you can answer.

Unidentified Speaker: (INAUDIBLE) just a second.

Commissioner Mena: Okay, sure.

City Manager Swanson-Rivenbark: So...

Commissioner Mena: I think the question I had -- there's been negotiations on a lease, which has not been finalized, but material terms are being exchanged. And, I understood your comment about what I'll call your termination option. The question, I guess, is, if we enter into that lease -- assuming we can agree on the existing terms on some level -- can that lease -- can we proceed with that lease without demolishing the property during the pendency of the lease, understanding that you still have your termination notice. And maybe, two years from now, three years from now, you'll have an offer and you'll decide you're exercising your rights, which, again, we're not trying to infringe upon. Is that something that would be tenable to your client?

Ms. Brigham Boulris: I appreciate the question, and I'm sure my client will, too. I don't have the client/principal with me today. I will take that back is the best I can do. I would say that the current draft lease clearly contemplates a demolition...

Commissioner Mena: Understood.

Ms. Brigham Boulris: Because of the number of parking spaces that would need to be achieved, and a demolition would be an essential part of that.

Commissioner Mena: Right. But, we would be saying we don't want parking spaces anymore. We don't want to demolish the building.

Ms. Brigham Boulris: Right.

Commissioner Mena: You'll still get the income that you're promised pursuant to the lease and the building will stay up, subject to your termination option, which I'm not trying to...

Ms. Brigham Boulris: The simple answer is that that would need to be probably renegotiated in the draft lease, because the termination provision is tied to the City's cost of implementing the parking lot. So, that would all need to be kind of redone. So, I think the current draft lease wouldn't work under that scenario. But I believe I'm authorized to say that, you know, even with the demolition permit in hand, there can be a voluntary pause to talk about these scenarios, including, you know, purchase or lease. That's the best I can do for today, but I don't...

Mayor Valdes-Fauli: Thank you.

Ms. Brigham Boulris: Think the current lease draft, as written, would work.

Mayor Valdes-Fauli: Thank you. Thank you very much.

Commissioner Mena: Thank you.

Mayor Valdes-Fauli: I would like to finish this, and then I'll entertain a motion by mentioning some of what I see happening. And I live in a historic home. We have spent millions of dollars in historic preservation, and I am very, very much for historic significance, historic awareness because that is one of the things that makes Coral Gables what it is. However, we can also go too far in terms of historic designations. I hear that there's a move to designate some horrible buildings in Sidonia, I think it is, which are really horrible buildings, because they were built in the '40s and '50s. They're more than 50 years old and they are cubes; cubes with some little details, but I think that's wrong. There's also talk about designating homes in North Gables that were built -- over 50 or 60 years old, which means that we would have 7 or 8,000 homes designated in Coral Gables, which would be a horrible nightmare. As opposed to spending \$3 million on historic preservation, we'd have to spend \$3 million on the staff of the Historic

Officer. There has been talk -- or there was a mention of designating as historic our police and fire existing Salzedo building. And it's one -- in a magazine that I have here behind me, which I think is a nightmare. And I am for historic, but I think that we have to be very, very careful how far we take this so that we don't become the laughingstock of the world or foolish in doing too much that we hurt our city. I will now entertain a motion by, you know, whoever, the two proponents of this, Vince Lago or Commissioner Mena or anybody else. I'll entertain a motion...

Commissioner Mena: I need...

Mayor Valdes-Fauli: And we'll discuss it.

Commissioner Mena: I need -- okay, so...

Commissioner Lago: So...

Commissioner Mena: Miriam, I need a little guidance on this because...

City Attorney Ramos: Yes, sir.

Commissioner Mena: Can we amend the prior resolution?

City Attorney Ramos: It would be preferable, since the time period has passed, that you rescind it and you pass a new resolution. That would be cleaner, procedurally.

Vice Mayor Quesada: What do you...?

Commissioner Mena: Okay.

Vice Mayor Quesada: Mena -- Commissioner Mena, what are you thinking?

Commissioner Keon: The parking.

Commissioner Mena: No, I think -- listen, I -- the whole point of why I had proposed that -- and I agree with Commissioner Lago -- was I don't think we should proceed with any scenario where we're involved in the demolition and/or a surface parking lot there. So, with that objective in mind, what I would like to do is for the negotiations to continue and see if -- you heard the question I just asked the attorney -- see if there's a way to reach an agreement where we still enter into a lease, the building stays up, and we continue and have more time to have further negotiations on how -- and whether or not there's an option to preserve the building.

Vice Mayor Quesada: I agree with that.

Mayor Valdes-Fauli: I would like for you...

Vice Mayor Quesada: My concern...

Mayor Valdes-Fauli: To make that part of the motion to rescind. I will vote against the motion to rescind without knowing what's going to replace it.

City Attorney Ramos: They should be two separate motions...

Commissioner Mena: There'll be two separate motions.

City Attorney Ramos: And two separate votes.

Mayor Valdes-Fauli: Okay, but tell me what the second one...

Commissioner Mena: Right.

Commissioner Lago: I think the second motion...

Mayor Valdes-Fauli: Is going to be.

Commissioner Lago: Will go along the same vein as what...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: As what...

Vice Mayor Quesada: Yeah.

Commissioner Lago: Commissioner Mena just mentioned right now.

Vice Mayor Quesada: Because the issue is, if we move to rescind and it passes, they're entitled to demolish and that building is gone.

Mayor Valdes-Fauli: Yeah.

Commissioner Mena: They're entitled to do that...

Commissioner Lago: They're entitled...

Commissioner Keon: They're entitled to do...

Commissioner Lago: To do that now.

Commissioner Keon: That anyway.

City Attorney Ramos: They can demolish anyway.

Vice Mayor Quesada: I understand that, but if we could work something out and lease it...

Mayor Valdes-Fauli: Right.

Vice Mayor Quesada: We have a shot. It gives...

Commissioner Lago: Yes.

Vice Mayor Quesada: Us a better shot.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: Yes.

Vice Mayor Quesada: Which...

Mayor Valdes-Fauli: Alright.

Commissioner Keon: Well...

Vice Mayor Quesada: It could still mean...

Commissioner Keon: Okay...

Vice Mayor Quesada: That it gets demolished...

Commissioner Keon: But you can...

Vice Mayor Quesada: But...

Commissioner Keon: We can rescind the ordinance -- the resolution on the parking lot.

Vice Mayor Quesada: Correct.

Commissioner Keon: And, you can direct the Manager to then enter into a discussion over a certain period of time, with limitations on the period of time, to look at the...

Mayor Valdes-Fauli: Will you call -- will you make the motion?

Commissioner Lago: But it has...

Commissioner Keon: The agreement between the property owner...

Mayor Valdes-Fauli: And the City.

Commissioner Keon: And with regard to the building.

Commissioner Lago: And I...

Commissioner Keon: If they come to none...

Vice Mayor Quesada: Agree.

Commissioner Keon: They'll come back.

Commissioner Lago: And I think that also...

Commissioner Keon: And they'll make a decision.

Commissioner Lago: We also have to provide the Manager with a little bit of leeway in regards to expenditures. She's got to go out there and get appraisals probably, and you know, maybe do something in the sense of -- to find out a real value -- what the value is in the open market. I know that there has been already some -- that property was under contract on separate occasions. I don't know actually what that was. I was trying to look it up online. I couldn't find it on LoopNet, so those are things that we'd have to, obviously, depend on our staff -- on Leonard to come in and really give us a more in depth background in regards to a valuation on the property. So, you want to make that motion?

Mayor Valdes-Fauli: Yeah.

Commissioner Mena: Yeah, absolutely.

Mayor Valdes-Fauli: To rescind.

Commissioner Mena: So, I'm going to -- okay, so the first motion is going to be to rescind resolution number...

Commissioner Lago: 2018-126?

Commissioner Mena: 2018-126.

Commissioner Keon: Alright. I'll second that.

Mayor Valdes-Fauli: Is there a second?

Commissioner Keon: I second it.

Mayor Valdes-Fauli: You did. Okay, will you call the roll, please?

Commissioner Lago: Yes.

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Commissioner Mena: And, then I will make a second motion to instruct staff to...

Commissioner Keon: To direct the Manager.

Commissioner Mena: To direct the Manager, excuse me, to pursue negotiations with the property owner, understanding that our objective would be to try to preserve the building and to explore whatever avenues we have to be able to do.

Commissioner Keon: If possible.

Commissioner Lago: I'll second it.

Commissioner Keon: Over how long a period of time? Could we put a time limit on that?

Commissioner Lago: Well, I think it also depends...

Commissioner Keon: Two months?

Commissioner Mena: Why are you so worried about putting a time limit on it?

Commissioner Keon: Because I don't -- you know what, I don't want to see a building sit there and...

Commissioner Lago: But it's not.

Commissioner Keon: Deteriorate.

Commissioner Lago: It's not going to sit there and deteriorate.

Commissioner Keon: Because if -- you know, I also think that they deserve closure. I mean, somebody...

Commissioner Lago: But Commissioner...

Commissioner Mena: But they're not...

Commissioner Lago: They're not...

Commissioner Mena: They're not bound by anything...

Commissioner Lago: Yeah, they're not.

Commissioner Mena: We're doing.

Commissioner Keon: Okay.

Commissioner Lago: They can move forward. They're going to be -- they're moving forward through the process and dealing with staff. And again, Dona's not going to stop and say, hey, you know, the Commission has told us to not sign this document.

Commissioner Keon: Okay.

Commissioner Lago: They're going to move forward.

Commissioner Keon: So, they can go forward...

Commissioner Lago: It's in the City's best interest to expedite this as quickly as possible.

Commissioner Mena: Right.

Commissioner Lago: My concern, with all due respect to the owner of the property, is that they'll drag their feet on this and not meet with the City, and I'm being candid. And I -- that's why I asked -- that's why I kept saying in good faith.

Mayor Valdes-Fauli: Yeah, but it's their property.

Commissioner Lago: I know.

Mayor Valdes-Fauli: They can do it.

Commissioner Lago: That's -- but I'm being...

Mayor Valdes-Fauli: Okay.

Commissioner Lago: Candid about it.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: I'm having -- we're having...

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: A conversation here.

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: And, that's where I hope that the owners of the property see the willingness of this Commission and that we have an interest in potentially coming to some sort of agreement. I don't know what that agreement may be.

Commissioner Keon: Okay. But we understand...

Commissioner Lago: But let me just finish my...

Commissioner Keon: Okay, I'm sorry.

Commissioner Lago: My comments. Just give me one second.

Commissioner Keon: Yeah, I'm sorry.

Commissioner Lago: That it may be different iterations. It may be a lease, like the Vice Mayor said, which allows us to potentially address this property in the near future. Like the Mayor said -- and he addressed it very eloquently -- we've had significant deferred maintenance issues in the

City of Coral Gables. It's not this Commission's fault. This is from years. But this year, we've dealt with issues from maintaining all our entrances, from Miracle Mile, from Merrick House, a litany of projects that have been dealt with that have been going on -- the White Way lights, a lot of other things that we're dealing with now. If we were to acquire this building, one way or another, either with a lease or an outright sale, this doesn't have to be priority number one. It could be priority number 10, and we could deal with it in three or four years, taking into consideration what Commissioner Keon just said right now, which is, obviously, we've got to keep it up to a certain standard, so the building doesn't collapse on itself. So...

City Attorney Ramos: I think it's important for the Manager's Office to have direction on what are the options that she's contemplating. Is it only a lease? Is it a lease...?

Commissioner Mena: No.

City Attorney Ramos: Or...

Commissioner Mena: I think...

City Attorney Ramos: A purchase?

Commissioner Mena: I would say -- I think -- I'm open to any suggestion that works, but it could be a lease. It could be purchase, although, I agree with Commissioner Keon that I think that's unlikely for us. But it could be -- and I think Commissioner Lago mentioned this earlier. It could be a scenario where there's some TDRs involved that maybe...

Commissioner Lago: There's 32,000 TDRs...

Commissioner Mena: Right.

Commissioner Lago: On that property.

Commissioner Mena: That, you know, this is adjacent to several parking lots, where maybe that makes it -- that provides value to the owner of the property and incentivizes them to maintain the building. So, we have to work with them.

Mayor Valdes-Fauli: Yeah.

Commissioner Mena: And I'm open to a suggestion that works for them, but also works for us and preserves the building.

City Attorney Ramos: Okay, so any and all options.

City Manager Swanson-Rivenbark: There may be 23,000 TDRs. Just...

Commissioner Lago: I got that directly from staff.

City Manager Swanson-Rivenbark: Well, I got that from staff, too, so we'll have to figure out what the correct number is. I'm sorry.

Commissioner Lago: Okay.

Commissioner Keon: Alright, so it is to direct the Manager to negotiate -- the Manager and her staff, Historic Preservation, Building, whoever she feels is part of that -- to negotiate with the owner to explore any way there is to retain the building or to save the building.

Commissioner Mena: Right.

Commissioner Keon: I believe that's what you're asking.

Commissioner Lago: Let me correct myself.

Commissioner Keon: Okay.

Commissioner Lago: Let me correct myself. There's 32,000 square feet of development rights that could be transferred, not actual TDRs, so we have to -- there's a calculation that needs to be done there, so I want to be careful on that.

Commissioner Keon: Okay.

Mayor Valdes-Fauli: Okay.

Commissioner Keon: Is that your motion?

Mayor Valdes-Fauli: Alright.

Commissioner Keon: I'll second your motion.

Mayor Valdes-Fauli: It's been moved and seconded. Will you call the roll, please?

Commissioner Mena: Yes.

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Commissioner Mena: Can I say...

Mayor Valdes-Fauli: Thank you.

Commissioner Keon: That also -- can I also...

Commissioner Mena: One last thing.

Commissioner Keon: Go ahead.

Commissioner Mena: One very quick last thing. I think it was Mr. Ruano who made the point earlier. I'd like to take this opportunity to sort of evaluate this entire process. And I'm not referring to the process of the board's approval, but you know, there's been a lot of conversation of well, the building's this very dark painted color, black, charcoal. I've heard different labels put on it. The stairwell's gone or isn't gone. How did those things happen in the interim, and why wasn't there a discussion about the historic nature of the building at those points in time? I'd like to understand that to inform myself and understand what happened along the course here so that, you know, we can just be more cognizant of these things going forward. So, I don't know if it's Dona's office would be the appropriate people to look into this or Peter. I'll defer to the City Manager on who the appropriate person is, but I'd just like to understand how we got to where we are in terms of the state of the building.

City Manager Swanson-Rivenbark: Understand. And Mr. Mayor, I appreciate you sharing with the public the millions of dollars that this Commission has reinvested into the history of the City, because we were struggling with a lot of deferred maintenance; the \$1.6 million on the plazas, fountains, entranceways, the \$1.5 million in the Merrick House. And, I'll also need to remind the public that when the Historic Preservation director sounded the alarm for 2506 that it was going to be gutted with a restaurant and it had been designated, and it had been embraced by the Historic Preservation Board, the Commission bought the property within two weeks' time. Emergency item was set. Commission walked through the property. We did the closing. So,

there were -- there are opportunities when this City has acted swiftly to protect a historic treasure, but it was with the sounding of the alarm from Historic and the Historic Preservation Board. Those alarms were not sounded on this project. And, I just have to say that with respect to the number of criticisms that the Commission has been getting, that those -- if that were to happen, then the scenario that you're dealing with would have been different.

Commissioner Mena: I think Dona wanted to say -- respond to me.

Historic Preservation Officer Spain: I just wanted to clarify a couple of things on the alterations to the building. I believe they were done early. I think they were done in the 1970s.

Commissioner Lago: Yeah.

Historic Preservation Officer Spain: And, that was very early in the preservation ordinance life in the city. It was not designated as historic. It would have gone to the Board of Architects. All of the alterations were done permits. It's not like it was done -- anything that was done illegally. But now, we attend the Board of Architects and the Board of Architects is very good about looking at a historically significant building and referring it to my department to work with the owner. And so, there are safeguards in place. You know, the black paint, I don't know what happened to that.

Commissioner Lago: Commissioner Mena.

Historic Preservation Officer Spain: But that did go to the Board of Architects.

Commissioner Lago: And another question that I asked Chris Rupp from Dade Heritage Trust and Arva Parks, which I met with yesterday, were these changes made with a permit. And they assured...

Historic Preservation Officer Spain: Right.

Commissioner Lago: Me that all of them were made with a permit, and I discussed this with Dona again right after the meeting. I couldn't believe it. It went back to my point, where I prefaced my statement with saying I was under the impression that this building was already designated, so...

Commissioner Mena: Right.

Commissioner Keon: Well, I think it's...

Commissioner Lago: That was...

Commissioner Keon: What she points out...

Commissioner Lago: My mistake.

Commissioner Keon: Is that it was 50 years ago.

Commissioner Lago: Right.

Commissioner Keon: And you know, we have come a long way in 50 years as a city.

Mayor Valdes-Fauli: Okay. Why don't we...

Commissioner Keon: And improved our processes and everything else, and we will continue to do so.

Mayor Valdes-Fauli: We have people that had to leave at 12, and we have two time-certain items here.

Commissioner Keon: Okay.