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1 MS. MENENDEZ: No, it doesn't.
 2 MR. TRIAS: The Comp Plan deals with
 3 density.
 4 MR. BEHAR: Yes. I'm --
 5 CHAIRMAN FLANAGAN: Okay. So, Robert, do
 6 you want to move Item 5, as recommended?
 7 MR. BEHAR: I'll make a motion to move Item
 8 5, as per Attachment A.
 9 MR. PEREZ: I'll second it.
 10 CHAIRMAN FLANAGAN: Motion and a second.
 11 Any further comment on that item? That's the
 12 one that says it's 75 units to the acre or a
 13 hundred with Med Bonus and up to a hundred feet
 14 max.
 15 Okay. Hearing none, Jill, call the roll,
 16 please.
 17 THE SECRETARY: Julio Grabiell?
 18 MR. GRABIEL: Yes.
 19 THE SECRETARY: Maria Menendez?
 20 MS. MENENDEZ: Yes.
 21 THE SECRETARY: Alberto Perez?
 22 MR. PEREZ: Yes.
 23 THE SECRETARY: Frank Rodriguez?
 24 MR. RODRIGUEZ: No.
 25 THE SECRETARY: Robert Behar?

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1 MR. BEHAR: Yes.
 2 THE SECRETARY: Marshall Bellin?
 3 MR. BELLIN: Yes.
 4 THE SECRETARY: Jeff Flanagan?
 5 CHAIRMAN FLANAGAN: Yes.
 6 All right. Robert, was your earlier motion
 7 that had some changes to the Staff rec for Item
 8 Number 6?
 9 MR. WU: The changes pertain to Page 3 of
 10 the Ordinance. If I can reference Item 4.C.
 11 What I --
 12 MR. BEHAR: Yeah. I'll make a motion to
 13 approve Item 6, under Attachment B, with the
 14 modification that the FAR, under 4.C goes from
 15 a 2.0 to 2.5, be changed to 2.0 to 2.75 FAR.
 16 MR. PEREZ: With Mediterranean Bonuses?
 17 MR. BEHAR: With Mediterranean Bonus,
 18 correct.
 19 MR. PEREZ: I'll second it.
 20 MS. MENENDEZ: I'm sorry, you're saying, on
 21 Attachment B, which are the proposed changes?
 22 MR. BEHAR: 4.C -- under 4.C, which is the
 23 FAR, currently it says in this --
 24 MS. MENENDEZ: You want to change it to
 25 2.75?

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1 MR. BEHAR: Exactly. From 2.0 to 2.75.
 2 MR. WU: And E pertains to the size.
 3 MR. TRIAS: And there you have two options.
 4 You could propose a different number or simply
 5 eliminate it and be silent.
 6 MR. BEHAR: I will say, on E, as well --
 7 thank you, Charles -- on E to reduce that
 8 number to 575, as it's currently in the Zoning
 9 Code.
 10 CHAIRMAN FLANAGAN: Okay.
 11 MR. PEREZ: I'll second it.
 12 CHAIRMAN FLANAGAN: A motion and a second.
 13 Do we have any discussion on that one?
 14 Hearing none, call the roll, please, Jill.
 15 THE SECRETARY: Maria Menendez?
 16 MS. MENENDEZ: No.
 17 THE SECRETARY: Alberto Perez?
 18 MR. PEREZ: Yes.
 19 THE SECRETARY: Frank Rodriguez?
 20 MR. RODRIGUEZ: No.
 21 THE SECRETARY: Robert Behar?
 22 MR. BEHAR: Yes.
 23 THE SECRETARY: Marshall Bellin?
 24 MR. BELLIN: Yes.
 25 THE SECRETARY: Julio Grabiell?

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1 MR. GRABIEL: Yes.
 2 THE SECRETARY: Jeff Flanagan?
 3 CHAIRMAN FLANAGAN: No.
 4 All right. So that's 5 and 6.
 5 MS. MENENDEZ: What else?
 6 CHAIRMAN FLANAGAN: We have one more item
 7 on the agenda.
 8 MR. TRIAS: Thank you very much.
 9 CHAIRMAN FLANAGAN: You're welcome.
 10 Next item is Item Number 7. This is an
 11 Ordinance of the City of Commission of Coral
 12 Gables, Florida providing for a text amendment
 13 to the City of Coral Gables Official Zoning
 14 Code by amending Article 4, "Zoning Districts,"
 15 Section 4-206, "Business Improvement Overlay
 16 District" to include special provisions for all
 17 properties within the District such as
 18 pedestrian-oriented signage, hours of
 19 operation, and outdoor dining; providing for a
 20 repealer provision, providing for a
 21 severability clause, codification and providing
 22 for an effective date.
 23 (Thereupon, Mr. Perez left the Commission
 24 Chambers.)
 25 MR. TRIAS: May I have the PowerPoint,

1 please?

2 Mr. Chairman, this item was also heard by

3 the Commission in an effort to expedite the

4 regulations on Miracle Mile and Giralda. The

5 items before you apply to the boundary of the

6 BID. The boundary of the BID is shown on this

7 map. The key idea behind this map is that it

8 includes Miracle Mile and Giralda, all of the

9 areas that are currently under construction

10 with the very, very nice and extremely

11 attractive streetscape design.

12 So the idea was to deal with some of the

13 concerns that businesses have expressed through

14 the years about the operations. Today we're

15 not going to deal with anything that deals with

16 development, intensities or FAR or parking or

17 setbacks. We're only dealing with the

18 operational issues that are in the Zoning Code

19 or may not be in the Zoning Code, some are new

20 ideas.

21 Some of the proposed changes are in this

22 chart, and one of the things that we don't have

23 in the Zoning Code is hours of operation, so

24 we're including some hours of operation.

25 They're regulated elsewhere, but it was just

1 for clarity, to have those hours of operation.

2 There was some real interest in making the

3 whole Miracle Mile and Giralda area active at

4 night, especially through the weekend. So

5 those are the hours that are being proposed.

6 We're also dealing with some issues that

7 deal with noise, and, in particular, we're

8 trying to propose a pre-approved outdoor dining

9 strategy. And the idea is that right now we're

10 going have this very wide sidewalks and the

11 wide sidewalks need to be designed in a way

12 that they encourage as much activity as

13 possible. So there's a map that is being

14 developed right now -- it's almost complete --

15 and provides ample outdoor seating, in the

16 right places, all throughout the Mile, and it

17 allows for a pre-approved process, a very

18 efficient pre-approved process, we hope, that

19 will encourage development and activity.

20 Then we also have some signage regulations

21 that are new. We have, for example, the

22 directory signs. We have kiosks. We have

23 window decals. We have temporary signs. We

24 have Downtown projection signs. Some of those

25 signs are allowed right now. The idea, though,

1 in this Overlay, is that we want to have

2 multiple signs, multiple signs per business,

3 and, therefore, contribute to the activity of

4 Downtown.

5 We have new regulations for pop-up retail,

6 some Disclosure Forms for residents, and also a

7 potential for a management agreement for areas

8 such as Giralda, that may require that in the

9 future.

10 The review process, we've discussed this

11 multiple times with you. We really value the

12 ideas that you have provided. I think that

13 this has been a very, very effective process.

14 I want to thank the City Manager for providing

15 some great leadership to be able to be here,

16 and also I want to thank members of the BID who

17 are here tonight, and may want to provide some

18 ideas.

19 As you can see, this has been discussed

20 multiple times, and the key dates there, if you

21 go to Number 4, on February 28, the Commission

22 looked at this in First Reading, so this is

23 coming to you after that, and hopefully the

24 Commission will deal with this shortly

25 thereafter for the Second Reading.

1 That is my presentation. I believe that

2 some of the members of the public may be

3 interested in speaking, and I'll be able to

4 answer questions later on. Thank you.

5 CHAIRMAN FLANAGAN: Thank you, Ramon.

6 Do any of the Members of the Board have any

7 questions at this point?

8 Okay. We'll open the public hearing up.

9 Jill, if you could call our speakers, please.

10 THE SECRETARY: Taciana Amador, and Barbara

11 Tria.

12 MS. AMADOR: Good afternoon. I'm Taciana

13 Amador, the Director of the Business

14 Improvement District. And, first of all, I'd

15 like to say thank you for listening to this

16 item, and I'd like to thank City Staff, the

17 City Manager, Economic Development Director,

18 and Planning and Zoning, for the work that

19 they've done to put this item together as fast

20 as they have. Our Board really appreciates the

21 degree of importance that you all have placed

22 on this, so we're very appreciative of that,

23 and we want to speak in support of the item.

24 One thing I would like to point out is that

25 there's one section here, under Section 3-B,

1 that we'd like to have the opportunity to
2 revisit, just to go back and look at what the
3 original intent of how it was written, but
4 other than that, we're very pleased with the
5 Overlay.

6 MS. TRIA: Hi. Barbara Tria, BID
7 Vice-President, and property owner, 2309-2315
8 Ponce. I just echo Taci's sentiments here.
9 We're very thankful for the collaboration that
10 it took to put this together and bring it
11 forward. It is, as the City Attorney said, the
12 operational component of the Overlay. So it
13 gives our retailers some more tools to help
14 drive business to their storefronts and their
15 restaurants, and so we hope that you are in
16 support of it, as well, and if you have any
17 questions, we'd be happy to answer them.

18 CHAIRMAN FLANAGAN: Thank you.

19 THE SECRETARY: Albert Poza.

20 MR. POZA: Good evening. Albert Poza,
21 architect. I've been practicing here at the
22 City for more years than I want to remember.

23 I've been approached by two potential
24 clients. They're property owners in Miracle
25 Mile. And I haven't taken up any job yet or

1 fixed, are they removable, can they be
2 relocated to help that owner better use that
3 area right in front of the restaurant.

4 If you own a restaurant, I'm sure you don't
5 want to be down the street, and be trying to
6 manage, you know, the logistics of serving down
7 the street. So that's one item.

8 The other item is actually more important.
9 As I read the Ordinance or the new proposed
10 Code, if somebody does not have enough space in
11 front of them, for whatever reason, small
12 frontage, trees, any other kind of obstacle,
13 they can go to the adjacent property owner,
14 fifty feet one way, fifty feet the other way,
15 and as long as that property owner gives them
16 the okay -- could be, again, the wedding shop,
17 they're never going to put a restaurant outside
18 the wedding shop on their own behalf -- but
19 it's okay for that restaurant owner to go ahead
20 and use that area in front of the wedding
21 shop -- and I use, the wedding shop, because
22 there are so many of them, not because of any
23 other reason -- they have to get approval of
24 the wedding shop in order to come to the City
25 and ask for tables and chairs outside of the

1 anything, because this basically was just kind
2 of exposed to the public, and I told them, "I
3 really don't know how to help you, 'cause I
4 don't know what the parameters are."

5 So, as I read a little bit about it, and
6 met with a little bit of Staff, as they
7 developed the thing, I've learned a couple of
8 things that -- it was brought up to me, by
9 these two individuals, and I think that
10 possibly this should be looked at, because it's
11 almost like a result -- an intended -- it was
12 all done in good faith, but it's a result that
13 one should consider. And here I'm speaking
14 almost as a resident of Coral Gables, and not
15 so much as an architect.

16 The situation is such that, as I understand
17 the -- you know, what's been written, there are
18 certain situations where somebody may own a
19 restaurant, and there may be a proposed bench
20 there. Yet, down the street, forty feet away,
21 there may not be a bench there. There may not
22 even be a tree there. And that might be a
23 place for wedding gowns, which they will never
24 be using the outdoor for seating.

25 So I was wondering if these benches are

1 wedding shop, because they didn't have the
2 vehicle -- because of whatever obstacle in
3 front of them.

4 The problem is, the wedding shop may not
5 sign off. And the reason for that is, why,
6 because, you know, we're very ingenious, so
7 they'll say, "But you're not going to ever be
8 putting any restaurant out here in front of the
9 wedding shop," but the wedding shop owner says,
10 "I'll sign it, if you pay me "X" amount of
11 dollars under the table."

12 So I propose that rather -- instead of
13 leaving it in the hands of the person in front,
14 which this is basically right-of-way, it's not
15 really their area, to maybe Staff analyze the
16 situation, because I know of particularly one
17 individual, they have already approached their
18 neighbor, and the neighbor won't sign off
19 unless he gets paid off, and that is an
20 unintended consequence of the neighbor having
21 to sign off.

22 So it's a major obstacle for the intent of
23 that vitality. So that restaurant owner will
24 never be able to use his outdoor dining,
25 because his neighbor won't sign off, and he

1 obviously, probably, will not be paying the
 2 neighbor off.
 3 Thank you.
 4 CHAIRMAN FLANAGAN: Thank you.
 5 THE SECRETARY: No more speakers.
 6 CHAIRMAN FLANAGAN: No more speakers?
 7 All right. So we'll close the public
 8 hearing.
 9 Anybody have any comments?
 10 MR. BELLIN: Yeah, I have a comment.
 11 Generally speaking, I agree with what's here.
 12 One question I have is, if we go to
 13 applicability, Number One, it seems to me that
 14 that ought to be delineated a little bit better
 15 to be more specific with what's covered in --
 16 MR. TRIAS: More specific than the numbers
 17 of the BID?
 18 MR. BELLIN: Well, it just says, you know,
 19 "If the BID ceases to exist, the boundaries of
 20 the other district shall remain the streets and
 21 properties most recently comprising the BID
 22 boundaries." I mean, shouldn't we define those
 23 boundaries?
 24 MR. TRIAS: We could. The only issue is
 25 that they are a little bit irregular in the

1 way -- it's not easy to describe them --
 2 MR. LEEN: You know, it's a good comment,
 3 actually. We're doing a legal review of this,
 4 as well. That's one thing that we'll address.
 5 Because if the BID expands, you can't have this
 6 automatically expand, you know.
 7 MR. BELLIN: That's my point.
 8 MR. LEEN: So we should probably put a
 9 geographical boundary.
 10 MR. TRIAS: But that -- yeah --
 11 MR. LEEN: Or at least say that it wouldn't
 12 expand if the BID expands.
 13 MR. TRIAS: Certainly. And let me give you
 14 a more useful answer, which is that the main
 15 issue -- the main benefit of this idea, Giralda
 16 and Miracle Mile, and the main collaborator in
 17 the discussions has been the BID. So that is
 18 the reason why we have this language here in
 19 applicability, but certainly we could define it
 20 better.
 21 MR. LEEN: But, Mr. Chair, Mr. Bellin makes
 22 a good point. We are doing a legal review,
 23 just to make sure. As you all probably
 24 remember, there's the Town of Gilbert case from
 25 the Supreme Court, and we brought before you, I

1 think about a year ago, our Zoning Code
 2 provisions related to signs, and we had a
 3 number of changes to the Sign Code. We're
 4 making sure that this complies with that, as
 5 well. The City Manager, the Assistant City
 6 Manager for Operations and Infrastructure, both
 7 of them are working with us. They said that
 8 they would incorporate our changes. So that's
 9 all being done. So I will add that to what
 10 we're looking at.
 11 MR. BELLIN: Okay.
 12 MR. TRIAS: One change suggested by the
 13 City Attorney is to change the word "content"
 14 and use the word "information". So there's
 15 changes like that, that I think are coming up,
 16 but there are no changes that affect the
 17 content, I believe.
 18 MR. LEEN: Yeah. The only change that we
 19 are proposing, which simply gives the City a
 20 little more discretion, is that when the City
 21 applies the standards for outdoor dining or
 22 outdoor seating, that there is a provision that
 23 allows the City to also impose conditions or
 24 accept proffering or establish programs to
 25 regulate that, to ensure that those conditions

1 are met, and that there's not a harm to an
 2 adjoining property owner or something like
 3 that.
 4 But that would be an administrative review.
 5 It's not establishing, you know, a more
 6 complicated Commission review or anything like
 7 that.
 8 One concern that's come up in the
 9 Commission meetings is with smoking, for
 10 example, and not that this will be a debate
 11 about smoking today, but I just want to put
 12 that on the record, that's one thing that --
 13 for example, if you had a family restaurant,
 14 and they were willing to proffer that they
 15 didn't want to allow smoking, as the Commission
 16 is sort of requesting, they could do that. Or
 17 if there's two restaurants right next to each
 18 other, and maybe the smoking could be in a
 19 different area of the outdoor dining, and there
 20 could be an area where there's no smoking. So
 21 that would be an example.
 22 But there could be other things, other than
 23 smoking, as well. And other than that, the one
 24 other thing is, there's a provision that allows
 25 the City Manager to make adjustments, and so

1 the one edit that we're making to that, because
2 we want the City Manager to have that sort of
3 flexibility, to make sure that this works, the
4 City has invested a lot of money, obviously, in
5 Giralda and Miracle Mile, and we want it to be
6 -- we want it to work. We want it to be
7 exciting. So that's very important to the City
8 Manager.

9 I agree with her. I think you need to have
10 that flexibility in the Chief Executive, but
11 we're putting the standards of the special
12 events. Basically, whenever you do a special
13 event, there's a lot of things that you can
14 look at to allow an adjustment to applicable
15 provisions. So it's just incorporating that.
16 The City Manager already has that authority.
17 So we're just referencing that, so that someone
18 can't challenge that.

19 So I think that was every edit, wasn't it,
20 Ramon --

21 MR. TRIAS: Yes.

22 MR. LEEN: -- generally?

23 Most of them are done for First Amendment
24 purposes.

25 CHAIRMAN FLANAGAN: Okay. I have a hard

1 time with the digital kiosk concept.

2 MR. TRIAS: I think Mr. Betancourt may want
3 to explain that better.

4 MR. BETANCOURT: Good evening. For the
5 record, Javier Betancourt, Director of Economic
6 Development.

7 So as part of the streetscape project, it's
8 always been intended that there would be kiosks
9 -- digital kiosks on Miracle Mile and Giralda.
10 So there are three planned for the Mile and one
11 on Giralda. It's been part of the design from
12 the beginning, and we're at the point now where
13 we're looking at vendors to produce that.

14 There are a couple of ways to produce or to
15 build a digital kiosk. Number One, simply pay
16 for it. You build it. The City, the BID,
17 someone, maintains it, operates it, programs
18 it.

19 A second approach is a business model
20 that's become very popular, which is, a private
21 party does that on the City's behalf, and pays
22 for it, and in exchange for that, they're able
23 to provide some advertising on the panels. And
24 so this would be digital advertising.
25 Essentially a picture -- a monitor like that,

1 on its side, that is a touch screen, that is on
2 this larger kiosk, and when you go up, you
3 know, you could find maps, information, retail
4 directories, public safety information, et
5 cetera, but when someone is not using it, it
6 would run advertising.

7 Now, the City and/or the BID, again, can
8 control the content of that advertising, to
9 ensure that, for instance, we don't have
10 competing destination -- you know, we don't
11 want to be advertising South Beach -- that
12 there isn't obscene material on there. We
13 could also prioritize local merchants with
14 preferential placement and pricing. So all of
15 that remains to be worked out. But this would
16 allow us the ability, within the Zoning Code,
17 to do that. But it's been a part of the
18 streetscape project for a long time.

19 CHAIRMAN FLANAGAN: Okay. I have a hard --
20 I'm sorry, my recollection, generally, is, the
21 City doesn't like and doesn't have illuminated
22 electronic signage, to the point where, when
23 the high school put one in, I don't think the
24 City was very happy about that. The school
25 down on Madruga, I forget the name of the

1 school, they put a big rotating electric sign,
2 that was very, very bright at one point. I
3 think they politely toned it down, at the
4 City's request, at one point.

5 So for the City to be doing it, I struggle
6 with flashing colors and information, and
7 assuming -- and it sounds like that train has
8 left the station -- I think, advertising, and I
9 understand clearly the concept of having a
10 private party do it and get some advertising
11 revenue from it, but I think that's totally
12 inappropriate for the City.

13 The City doesn't have bus benches with
14 advertising. We don't have buildings with
15 advertising under the guise of an art mural
16 anywhere. And so for the City to open itself
17 up to allow basically third-party advertising,
18 I definitely cannot support that.

19 Maria.

20 MS. MENENDEZ: Is that for advertising,
21 though? Your intent is for advertising?

22 MR. BETANCOURT: The intent of the digital
23 kiosk weren't necessarily to be advertising
24 platforms. It was to provide information --

25 MS. MENENDEZ: Like events?

1 MR. BETANCOURT: -- particularly retail
 2 directories, events, way finding was a key part
 3 of it. The advertising comes in as a way to
 4 pay for them, frankly, and so -- but, you know,
 5 it also adds the -- I would say, the added
 6 benefit of being able to promote our merchants,
 7 particularly as they've suffered through the
 8 streetscape construction.

9 MS. MENENDEZ: So you would be promoting
 10 primarily merchants from the area?

11 MR. BETANCOURT: As I said, we would --
 12 either we or the BID, whoever we chose, you
 13 know, would be managing this program, would, of
 14 course, have control over content, over what's
 15 approved. So, again, we would be looking at
 16 competing destinations not being allowed,
 17 obscene kind of advertising. You know, I don't
 18 want to get into what that might be. And we
 19 could narrow it, so that it's only local
 20 merchants and/or local merchants, you know, get
 21 a preference somehow.

22 MS. MENENDEZ: I would think you're going
 23 to have some agreement with the BID as to what
 24 -- sorry, some agreements with the BID as to
 25 what you would want -- or, you know, how to

1 wholeheartedly with the Chairman regarding
 2 advertising, generally.

3 I feel it's -- I think it's totally not in
 4 keeping with, you know, what Coral Gables is
 5 all about. I'd feel differently if it was
 6 limited to Coral Gables businesses, and it was
 7 partly informational, and, you know, with an
 8 advertising component to it. I would feel much
 9 differently about that.

10 So, I mean, I'm not sure exactly what at
 11 this point we can do about this, but I
 12 wholeheartedly agree with the Chairman,
 13 specifically with regard to having -- I think
 14 it's kind of vulgar and crass to have, in our
 15 City streets, especially these really nice
 16 areas, have advertising of, I don't know,
 17 whatever businesses that are outside of Coral
 18 Gables -- you know, I --

19 CHAIRMAN FLANAGAN: Or beer.

20 MR. RODRIGUEZ: I just think it's totally,
 21 again, not in keeping with what Coral Gables is
 22 all about.

23 MR. TRIAS: Mr. Chairman, every sign
 24 category, we're careful to say that the
 25 content, which is going to be changed to

1 control that.

2 MR. LEEN: I would like to add something,
 3 because I've been involved in those
 4 discussions, so has Peter Iglesias. The
 5 purpose is information. The purpose is not
 6 advertising. There's an advertising component
 7 that helps fund it, that helps provide
 8 advertising for the merchants, as mentioned,
 9 but the purpose is information, and the City is
 10 able to control it, because it's on City
 11 property and we would be entering into an
 12 agreement.

13 I think that's very important, that the
 14 City be able to control it. Now, if there's an
 15 agreement with the BID, the agreement would
 16 have specifications for how -- where the City
 17 would exercise its control through the
 18 agreement and the terms of the agreement.

19 MR. RODRIGUEZ: If the purpose is
 20 informational, which I think is -- I would
 21 agree with, then you wouldn't have any
 22 advertising that relates to vendors outside of
 23 Coral Gables. Like I'm less troubled with the
 24 digital kiosk concept, partly because I'm not
 25 exactly sure what it is, but I agree

1 information, that word is going to be changed,
 2 it's going to be the tenant name, and the logo,
 3 precisely for that idea, because we believe in
 4 the branding of Miracle Mile very clearly, and
 5 we basically had the same concern.

6 CHAIRMAN FLANAGAN: Ramon, that's different
 7 than these kiosks.

8 MR. TRIAS: That's different than these
 9 kiosks. The kiosk is different, yes.

10 CHAIRMAN FLANAGAN: Go ahead, Robert.

11 MR. BEHAR: I think you made a great point,
 12 and I think Frank made an excellent point, and
 13 I will agree with them totally. If it's
 14 something to benefit the local businesses, I'm
 15 in support, but I don't want to see advertising
 16 for, you know, an Infiniti car dealership or
 17 something that has nothing to do with --

18 MR. BETANCOURT: Although Infiniti is a
 19 local business now.

20 MS. MENENDEZ: That's true.

21 MR. BEHAR: Okay. I take it back. Do we
 22 have a Porsche dealership? Oh, we do have
 23 that, too.

24 But, no, I think they made a great -- and I
 25 will agree with them a hundred percent.

1 MS. MENENDEZ: Have you identified the look
 2 of the kiosk, as far as the height?
 3 MR. BETANCOURT: The design of the kiosk
 4 casing has been designed by a group of
 5 Robertson --
 6 MS. MENENDEZ: How big is it?
 7 MR. BETANCOURT: Oh, gosh.
 8 MR. TRIAS: They're fairly tall. They went
 9 through a design review process, and it's part
 10 of the overall design of the aesthetics of
 11 Miracle Mile.
 12 MR. BETANCOURT: Yeah. That's the casing.
 13 The actually monitor would be within a larger
 14 casing, and probably takes up about a
 15 quarter --
 16 MS. MENENDEZ: But how high? Overall
 17 what's the height of the kiosk?
 18 MR. BETANCOURT: I couldn't tell you.
 19 MS. MENENDEZ: It's not in there. Don't
 20 say that.
 21 CHAIRMAN FLANAGAN: Well, the retail
 22 directory sign is a max of eight feet.
 23 MR. BETANCOURT: It's taller than that.
 24 CHAIRMAN FLANAGAN: Taller than eight feet?
 25 MR. BETANCOURT: The entire casing, again,

1 which is almost like an artistic piece. The
 2 monitor itself is going to be imbedded and
 3 probably a quarter of that larger casing.
 4 MR. TRIAS: Let me give you what I know. I
 5 was invited to a couple of review sessions.
 6 This is not my project. But I will tell you,
 7 from my collection, they're basically
 8 rectangular. I would say that they're about 25
 9 feet or so tall. They're very tall.
 10 MS. MENENDEZ: 25 feet?
 11 Well, let me tell you something, you all
 12 have to be careful with this billboard digital
 13 stuff that's coming out.
 14 MR. BEHAR: That's a two-story building.
 15 MR. TRIAS: But, again, I'm just purely
 16 speaking, just for your information, and the
 17 issue is that --
 18 MR. BEHAR: No, it can't be 25 feet. I'm
 19 sorry.
 20 MR. BETANCOURT: Let me just be clear,
 21 we're talking about --
 22 MR. BEHAR: That is taller than this space.
 23 MR. BETANCOURT: The kiosk is tall. The
 24 monitor, which would have --
 25 CHAIRMAN FLANAGAN: Okay. How tall is the

1 kiosk?
 2 MR. BETANCOURT: That's what -- I don't
 3 have the height. It's tall.
 4 MR. BEHAR: I thought I was joking when I
 5 said, "Twelve."
 6 MR. TRIAS: I apologize for the confusion,
 7 but the Assistant City Manager is looking for
 8 the plans right now to verify it. That was
 9 part of the recommendations from the design
 10 team that worked Miracle Mile. I was not
 11 involved with any of those decisions. I'm just
 12 recollecting right now.
 13 MS. MENENDEZ: How many kiosks are planned?
 14 MR. BETANCOURT: Four. Three on the Mile,
 15 one on Giralda.
 16 MR. RODRIGUEZ: Isn't the height --
 17 wouldn't that be like a fairly relevant piece
 18 of information that we should have in here?
 19 Because it is -- I mean, if it is, it's hard to
 20 believe that it would be, but if it's 25 feet,
 21 I mean --
 22 MR. BETANCOURT: Well, we left it subject
 23 to Public Works Department approval, because
 24 they're the ones in charge of the streetscape
 25 project.

1 MS. MENENDEZ: I can only tell you that the
 2 whole digital billboard thing, you're getting
 3 into that, if you're going so high up, and
 4 that's not really --
 5 MR. BETANCOURT: Let me just clarify once
 6 again. The advertising digital component that
 7 we're talking about is a monitor probably about
 8 taht size, standing on its side. The larger
 9 casing that it's in, it's not going to be
 10 advertising. It's going to be an artistic
 11 design.
 12 MS. MENENDEZ: But who is your audience?
 13 Is it the vehicle traveling through the Mile or
 14 is it the pedestrian?
 15 MR. BETANCOURT: No, it's the pedestrian.
 16 MS. MENENDEZ: Then I don't think it's
 17 going to be 25 feet high.
 18 MR. TRIAS: No, it's not -- I misspoke.
 19 Please, let's forget that. The Assistant City
 20 Manager is verifying the drawings.
 21 MR. BEHAR: You know, if your audience is
 22 the pedestrian, it's going to be at a
 23 pedestrian eye level.
 24 MR. TRIAS: There's no need to continue
 25 this discussion, since we're going to check the

1 facts. We're going to check the facts and we
 2 will give it to you.
 3 CHAIRMAN FLANAGAN: Are they double-sided,
 4 triangular? What's the --
 5 MR. BETANCOURT: Rectangular.
 6 CHAIRMAN FLANAGAN: Rectangular. So front
 7 and back or side, side?
 8 MR. BEHAR: Two sides.
 9 CHAIRMAN FLANAGAN: Two sides.
 10 MR. BETANCOURT: Two sides. I believe the
 11 monitor is on both sides, but I'm not entirely
 12 certain.
 13 CHAIRMAN FLANAGAN: In other words, it's
 14 not a three-sided or -- okay.
 15 MR. BETANCOURT: No. They're rather thin
 16 rectangles.
 17 CHAIRMAN FLANAGAN: Right.
 18 MR. LEEN: Mr. Iglesias is getting the
 19 height information.
 20 CHAIRMAN FLANAGAN: Okay. Frank.
 21 MR. RODRIGUEZ: While we're waiting for
 22 this information, there's something else I'm
 23 just curious about. On Page 7, there's a
 24 section dealing with standards, criteria and
 25 conditions that deal with outdoor dining. And,

1 for example, there's a -- one of these
 2 sections, let me see if I find it, deals with
 3 the quality -- I think it's Roman Numeral IV.
 4 It's on Page 7. It's A-4. "All sidewalk cafe
 5 furniture shall be of high quality, design,
 6 materials and workmanship so as to ensure the
 7 safety and convenience of the public."
 8 Who is going to determine --
 9 MR. BEHAR: There's a section that calls
 10 for pre-approved furniture packages.
 11 MR. RODRIGUEZ: Okay. So it goes to some
 12 kind of equivalent of an architectural board or
 13 something like that?
 14 MR. BEHAR: I guess. And I thought I read
 15 that, because I was concerned, and I read it
 16 somewhere.
 17 MR. TRIAS: What we have is a two-tier
 18 process.
 19 CHAIRMAN FLANAGAN: It's an expedited
 20 process.
 21 MR. TRIAS: What we would like to have is
 22 some pre-approved furniture that is available,
 23 and maybe two types of chairs and tables, and
 24 if somebody wants to do something else, they
 25 can follow the current process, which is review

1 by the Board of Architects.
 2 Currently the Board of Architects reviews
 3 furniture for aesthetics.
 4 MR. BEHAR: Frank, if you look at Page 6,
 5 4-A-2, on the bottom --
 6 MR. RODRIGUEZ: They're pre-approved.
 7 MR. BEHAR: Pre-approved.
 8 So, you know, what I am concerned, and I'm
 9 going to address one of the comments that one
 10 of the speakers said, is the ability to go --
 11 to move beyond the -- you know, the area in
 12 front of each restaurant. I'm okay, to a
 13 certain point, but I don't want to see Lincoln
 14 Road, where you have a restaurant that goes on
 15 for a hundred feet, and the dining express.
 16 I will tell you, and I'm very pleasantly
 17 surprised and pleased, how Miracle Mile and
 18 Giralda is coming. My wife and I have come for
 19 the last two Fridays to have dinner, and I love
 20 the people movement that it's starting to take.
 21 Instead of going somewhere else, we are coming
 22 to Downtown Coral Gables, because it's going to
 23 be fantastic. And I want to preserve -- you
 24 know, make sure that it flourishes and it does
 25 very well.

1 I would hate to see that the dining area,
 2 you know, takes the life of Lincoln Road, that
 3 expands.
 4 MS. MENENDEZ: You can't really control it.
 5 MR. BEHAR: Well, but you can. You can.
 6 To address his comment, you know, you want to
 7 set some limitations of how far you can go.
 8 You don't want to go a hundred feet in each
 9 direction.
 10 MS. MENENDEZ: But I think it's going to
 11 have to do with the use --
 12 CHAIRMAN FLANAGAN: I thought it was
 13 limited, how far you could go.
 14 MR. BEHAR: Please, point it out to me. I
 15 didn't see that, how far you could take in
 16 front of other establishments.
 17 MR. TRIAS: Well, the text right now says
 18 50 feet, and that's -- also, Mr. Poza, in his
 19 presentation, he was accurate in the fact that
 20 it does require acceptance by the other
 21 property owners, and that's something that my
 22 recommendation was to make it as flexible as
 23 possible, and, certainly, if you have some
 24 better ideas, you could do that. And the
 25 concern is real. The concern is real, in the

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1 sense that there are benches, there are trees,
2 there's all kinds of objects within the
3 streetscape that may not lend themselves to the
4 best outdoor seating right at that moment, at
5 that place, so some other location may be
6 better.
7 So the City owns the right-of-way and the
8 City would have a management process to deal
9 with that. So the City would have control,
10 based on the rules and your recommendation.
11 Before I forget, I was completely wrong.
12 It's actually fifteen feet, the size of the
13 kiosks.
14 MS. MENENDEZ: Fifteen feet.
15 CHAIRMAN FLANAGAN: It's still pretty tall.
16 MR. BETANCOURT: I apologize. I should
17 have brought that --
18 CHAIRMAN FLANAGAN: And how large --
19 MR. BETANCOURT: Just to give you a sense
20 of what this looks like.
21 CHAIRMAN FLANAGAN: Okay. Ramon, while
22 that's going around, and back to the -- you
23 talked about the names, and the content.
24 MR. TRIAS: Yes.
25 CHAIRMAN FLANAGAN: Under the awning signs,

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1 which is on Page 4 of 10, Sub Item G --
2 MR. TRIAS: Yes.
3 CHAIRMAN FLANAGAN: -- it says, "The
4 content, tenant name or logo," but yet
5 everywhere else it's "Tenant name and logo."
6 MR. TRIAS: We have a couple of issues that
7 are basically typos. We need to make it the
8 same.
9 MS. MENENDEZ: It's here, but it's just the
10 structure. So it's at eye level. It's just
11 that the structure is --
12 CHAIRMAN FLANAGAN: Javier kept saying,
13 "It's much smaller."
14 MR. TRIAS: There is a structure that is
15 designed for aesthetic purposes, that is larger
16 than the actual kiosk screen.
17 CHAIRMAN FLANAGAN: Then how wide? Javier,
18 you said these are pretty thin?
19 MR. BETANCOURT: I think, on the next page,
20 perhaps you see the thickness. Yes. You know,
21 it's wide enough to hold obviously the monitor.
22 CHAIRMAN FLANAGAN: 10 and half inches.
23 Less than a foot wide.
24 MR. BETANCOURT: Yeah.
25 MS. MENENDEZ: Yeah. That will look nice.

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1 Those are nice.
2 CHAIRMAN FLANAGAN: Two and a half feet
3 wide.
4 MS. MENENDEZ: It's for the eye level.
5 MR. BETANCOURT: We have pictures of them.
6 CHAIRMAN FLANAGAN: Okay. So from ground
7 to top of display screen is six feet.
8 MS. MENENDEZ: Yeah, it's eye level. Much
9 better than what we envisioned.
10 MR. BEHAR: Yes.
11 CHAIRMAN FLANAGAN: Yes.
12 MR. BETANCOURT: Sorry for not describing it --
13 MS. MENENDEZ: We see it all flashing --
14 CHAIRMAN FLANAGAN: Ramon, on Prohibited
15 Signs, it says -- this is Sub G -- or, sorry,
16 Paragraph K, on Page 5 --
17 MR. TRIAS: Yes.
18 CHAIRMAN FLANAGAN: -- "No food display
19 shall be permitted on the public right-of-way."
20 MR. TRIAS: Yes.
21 CHAIRMAN FLANAGAN: I don't know if all of
22 those storefronts come up to the public
23 right-of-way or some have some privately owned
24 space between the building and right-of-way,
25 but I would just like to see that changed to,

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1 "No food displays outside of the
2 establishment."
3 Because you get a lot of that on Lincoln
4 Road, with a piece of plastic wrapped over some
5 food that's been sitting there for six hours,
6 and it's just -- it's like a hokey way to try
7 and sell a dish, and I think that's --
8 MR. BEHAR: Yeah, I think we've got to keep
9 us at a much higher standard.
10 CHAIRMAN FLANAGAN: And then one other
11 comment.
12 MR. BEHAR: I like the hokey.
13 CHAIRMAN FLANAGAN: It says, "Amplified
14 music is prohibited outdoors at all times,"
15 Page 6. And then, back to Page 7, Sub -- under
16 Paragraph A, it's 10, I think it's Paragraph --
17 it's Number 13, "Live entertainment or speakers
18 shall comply with noise regulations."
19 MR. TRIAS: I noticed that today, also, and
20 I think there's -- yeah, we need to clarify
21 that.
22 CHAIRMAN FLANAGAN: Okay.
23 And then there's Disclosure Form. Can you
24 go into that in more detail? Who is going to
25 enforce it? What's going to happen? I do my

1 share of real estate closings.
 2 MR. TRIAS: I'm going to ask Mr. Betancourt
 3 again to explain the Disclosure Form and the
 4 idea behind it.
 5 MR. BETANCOURT: So the Disclosure Form --
 6 this is something that takes place in other
 7 parts of the country. I don't know that we've
 8 seen it here. But if you're near -- it started
 9 with airports. If you live near an airport,
 10 you're often required to fill out and complete
 11 a disclose form, acknowledging that you're
 12 purchasing property near an airport, and so
 13 you're not going to complain about the noise.
 14 They have taken that same concept and
 15 applied it to entertainment districts in
 16 different places. Like I saw an Ordinance in
 17 San Francisco. And that's meant to address an
 18 issue. What we have, and we're trying to
 19 promote greater residential occupancy in the
 20 Downtown, to support, you know, a vibrant
 21 Downtown. However, there is sometimes an
 22 inherent conflict between living in Downtown
 23 and a lot of the activity that a Downtown
 24 creates, particularly around noise, street
 25 closures, festivals, et cetera.

1 So we want to make sure that when people
 2 buy or rent in Downtown, that they're aware
 3 that this is an active, vibrant Downtown.
 4 There's going to be noise. We're going to have
 5 events. There are going to be street closures,
 6 et cetera. It's just an acknowledgment. It
 7 doesn't take any of their rights away. It
 8 simply informs them and makes them acknowledge
 9 that they are aware of it, and that that would
 10 be filed with the City.
 11 CHAIRMAN FLANAGAN: Okay. I'll just put
 12 out there, the County has one. If you sell
 13 property in the Unincorporated Agricultural
 14 Area, there is a disclosure, but I will tell
 15 you, probably more often than not, that the
 16 disclosure doesn't get used or put out, because
 17 people are unaware of it. So I think you run
 18 into -- it's a good idea, in concept, but
 19 then --
 20 MR. BETANCOURT: How do you execute it?
 21 CHAIRMAN FLANAGAN: Exactly. You've got
 22 the execution side. And, then, what happens if
 23 you don't disclose it? I mean, what's an
 24 enforcement measure? Is there anything or is
 25 it just completely hollow?

1 MR. BETANCOURT: And so we're going to have
 2 to obviously create administrative policies and
 3 procedures to implement that part of the Code,
 4 that will tackle those very issues. We're not
 5 there yet, truthfully.
 6 MR. TRIAS: Yeah, and keep in mind that
 7 this is the Zoning Code. It only deals with
 8 ideas and the authority to do things. It
 9 doesn't deal with all of the details. So let's
 10 not ask too much from the Zoning language.
 11 MR. BETANCOURT: But I share the same
 12 concern, and so we're going to have to figure
 13 out a very kind of rational process for getting
 14 that information to the brokers, to everyone
 15 involved in a closing, for instance, the
 16 property managers for apartments, and trying to
 17 find an easy way for them to file those with
 18 the City, maybe digitally, for instance.
 19 CHAIRMAN FLANAGAN: Okay. It might just be
 20 something that maybe the brokers can hand out,
 21 rather than a formal disclosure, because we
 22 have enough paperwork to deal with at the
 23 closing table.
 24 MR. BETANCOURT: What's one more?
 25 CHAIRMAN FLANAGAN: Yeah, exactly. Pile it

1 on.
 2 All right. Thank you, Javier.
 3 MR. BETANCOURT: My hand still hurts from
 4 signing my mortgage papers.
 5 CHAIRMAN FLANAGAN: Any other comments on
 6 this?
 7 MS. MENENDEZ: Yes.
 8 CHAIRMAN FLANAGAN: Maria.
 9 MS. MENENDEZ: No. No. I don't have
 10 comments. I'm ready to vote. I'll make the
 11 motion.
 12 CHAIRMAN FLANAGAN: Okay.
 13 MR. LEEN: So does the motion --
 14 MR. TRIAS: Just be aware that there are
 15 some --
 16 MS. MENENDEZ: To accept it.
 17 MR. LEEN: Accept it with the comments made
 18 today or just as --
 19 MS. MENENDEZ: We didn't have any comments,
 20 that I know.
 21 MR. LEEN: I think, Prohibited Signs, you
 22 wanted it to be not just on the public
 23 right-of-way.
 24 MR. TRIAS: There were some minor comments,
 25 that I would describe as typos.

1 MS. MENENDEZ: Can we repeat the comments
 2 that you all have for the motion? I have no
 3 problems with --
 4 MR. BELLIN: I would like for it be part of
 5 the motion the requirement that any advertising
 6 be limited to Coral Gables merchants.
 7 MS. MENENDEZ: You mean, on the kiosk?
 8 MR. BELLIN: Yes.
 9 MS. MENENDEZ: Okay. I'll accept that.
 10 MR. LEEN: You know, that's --
 11 MS. MENENDEZ: I'll accept that, but they
 12 also want events, they want other activities.
 13 Is that part of your --
 14 MR. BELLIN: If the activity is in Coral
 15 Gables, yes.
 16 MS. MENENDEZ: Okay.
 17 MR. LEEN: You know, that's not really a
 18 Zoning limitation.
 19 MS. MENENDEZ: Yeah.
 20 MR. LEEN: It's more of the proprietary
 21 one, because the City is controlling the kiosk.
 22 I would recommend that you make that more of a
 23 recommendation to Staff, that they consider
 24 that when they're doing any sort of RFP or any
 25 sort of agreement, because this is actually

1 that the City could just agree to do with the
 2 third party, as well, because ultimately the
 3 City is going to be controlling what's on the
 4 kiosks.
 5 MR. RODRIGUEZ: Yeah. Well, Craig, it's
 6 part of what we're voting on.
 7 MS. MENENDEZ: It's a recommendation.
 8 MR. RODRIGUEZ: So if we decide that in
 9 order for us to favorably consider it, we want
 10 some changes, why can't the Board -- I mean, at
 11 the end of the day, the Commission is going to
 12 make a decision, but why can't our
 13 recommendation be predicated upon --
 14 MR. LEEN: Well, I'll tell you the concern
 15 I have. Because if it's done as a regulatory
 16 matter, typically we don't look at the content
 17 of the actual sign, in a regulation, because of
 18 this Town of Gilbert case. It's something we
 19 can do in our proprietary capacity, though, but
 20 it's not typically a Zoning regulation that you
 21 would limit only to Coral Gables.
 22 MR. RODRIGUEZ: See, to me, that issue --
 23 the issue is, as we discussed before, that when
 24 you couch Coral Gables advertising, it's
 25 informational. You know, you want to be able

1 to let people know about our -- you know, our
 2 businesses, if we have events that are going to
 3 be in the Gables, I think that's okay, but when
 4 you start advertising things that are not
 5 related to Coral Gables, and I think a lot of
 6 the, you know, Members of the Board have
 7 expressed, it feels like it's crass, it's not
 8 something that we should be doing in Coral
 9 Gables.
 10 MS. SWANSON-RIVENBARK: And so, Mr. Chair,
 11 just to -- regardless of the Attorney's
 12 viewpoints, we have no intention of advertising
 13 anything other than Coral Gables, and so we're
 14 absolutely able to develop a protocol that
 15 confirms that.
 16 CHAIRMAN FLANAGAN: Thank you.
 17 MS. MENENDEZ: Thank you.
 18 MR. LEEN: So they should do that, but as a
 19 Zoning matter, we can't legally require that on
 20 third parties.
 21 MS. MENENDEZ: Okay. So we won't add it to
 22 the Ordinance, we just put it as a side note,
 23 that that's what we're recommending.
 24 MR. LEEN: I understand.
 25 MS. MENENDEZ: But there's already a record

1 of the Manager saying that she --
 2 MR. LEEN: Yeah, she stated that on the
 3 record, so --
 4 MS. MENENDEZ: Okay. Anything -- any other
 5 comments?
 6 CHAIRMAN FLANAGAN: No food outside. No
 7 food displays outside.
 8 MS. MENENDEZ: Oh, no food displays
 9 outside.
 10 MR. TRIAS: There were a couple of typos.
 11 There was no food outside, not even on private
 12 property, and then there was an inconsistency
 13 with speakers and no amplified noise. Those
 14 are the comments that I heard.
 15 MS. MENENDEZ: Anything else? Did he miss
 16 any comments?
 17 MR. BELLIN: More specific about the -- if
 18 for some reason the boundary changes, the BID
 19 expands --
 20 MS. MENENDEZ: That's a good point, yeah.
 21 The issue of the boundary, how did you want
 22 to address that in the Ordinance? Or you're
 23 just going to further define it in the
 24 Ordinance?
 25 MR. LEEN: Yes.

1 MS. MENENDEZ: Okay.
 2 MR. LEEN: We'll make sure that that's
 3 legally compliant. We'll look to Staff as to
 4 what the content of that would be. I would
 5 think it would be the current boundaries of the
 6 BID, and maybe make some sort of procedure for
 7 amending that. It could just come through a
 8 typical amendment, like it does today, or maybe
 9 we could allow Staff to have some ability to
 10 amend that administratively, but it would need
 11 to be -- there would need to be a process.
 12 MS. MENENDEZ: Yes.
 13 MR. LEEN: You shouldn't just amend with a
 14 private entity expanding their -- a
 15 quasi-private entity expanding or decreasing
 16 their size.
 17 MS. MENENDEZ: I would suggest that it
 18 would go through the process again, because if
 19 you go south or north, you might be affecting
 20 residential, and you're allowing for a lot in
 21 this area.
 22 Okay. Is that okay with everyone? I made
 23 the motion. There's a second that's needed.
 24 MR. RODRIGUEZ: Is there a second?
 25 CHAIRMAN FLANAGAN: Not yet.

1 MS. MENENDEZ: No. We need a second.
 2 MR. RODRIGUEZ: Second.
 3 MR. LEEN: Oh, and, Ms. Menendez, but with
 4 the Prohibited Signs, I'm asking specifically,
 5 because we're going to amend that, that's a
 6 little -- right now, it says, "The public
 7 right-of-way," but you're saying, "Outside,"
 8 which you can do. That can be a proper Zoning
 9 restriction. But you're saying, you want no
 10 food displays outside, even on private
 11 property.
 12 MS. MENENDEZ: We don't want it outside or
 13 private.
 14 MR. LEEN: And also no advertising signs or
 15 tenant signs, other than what's permitted in
 16 here, even on private property, as long as it's
 17 outside? Is that what you're saying?
 18 MS. MENENDEZ: Who put that comment in? I
 19 need some clarification on that.
 20 MR. LEEN: The Chair did. The Chair did.
 21 CHAIRMAN FLANAGAN: No, I only talked about
 22 food displays.
 23 MS. MENENDEZ: He just talked about food.
 24 MR. LEEN: So it's just the food displays?
 25 MS. MENENDEZ: Yes.

1 MR. LEEN: Okay.
 2 MR. BEHAR: On private property, you should
 3 be able to do signage.
 4 MR. LEEN: Well, right now, for signs on
 5 private property, it would comply then with the
 6 general Zoning Code.
 7 CHAIRMAN FLANAGAN: I had no comment about
 8 the signs. My comment was strictly on food
 9 displays outside the building.
 10 MR. BEHAR: I agree.
 11 MS. MENENDEZ: He doesn't want food
 12 displays.
 13 MR. LEEN: Got it. So that will be outside
 14 the restaurant.
 15 CHAIRMAN FLANAGAN: All right. We have a
 16 motion and a second. Do we have any further
 17 discussion?
 18 Hearing none, Jill, can you call the roll,
 19 please?
 20 THE SECRETARY: Frank Rodriguez?
 21 MR. RODRIGUEZ: Yes.
 22 THE SECRETARY: Robert Behar?
 23 MR. BEHAR: Yes.
 24 THE SECRETARY: Marshall Bellin?
 25 MR. BELLIN: Yes.

1 THE SECRETARY: Julio Grabiell?
 2 MR. GRABIEL: Yes.
 3 THE SECRETARY: Maria Menendez?
 4 MS. MENENDEZ: Yes.
 5 THE SECRETARY: Jeff Flanagan?
 6 CHAIRMAN FLANAGAN: Yes.
 7 MR. TRIAS: Thank you very much.
 8 CHAIRMAN FLANAGAN: All right. I think
 9 that's the last item on the agenda. Anything
 10 else?
 11 Thank you, everybody. Move to adjourn.
 12 Yeah, we're out of here.
 13 (Thereupon, the meeting was concluded at
 14 8:00 p.m.)
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