

**City of Coral Gables City Commission Meeting**  
**Agenda Item 2-1 and F-1 are related**  
**January 24, 2017**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason**  
**Commissioner Pat Keon**  
**Commissioner Vince Lago**  
**Vice Mayor Frank Quesada**  
**Commissioner Jeannett Slesnick**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark**  
**City Attorney, Craig E. Leen**  
**City Clerk, Walter J. Foeman**  
**Deputy City Clerk, Billy Urquia**  
**Public Works Director, Ed Santamaria**

**Public Speaker(s)**

**Geannina “Nina” Burgos, Cultural Development Board Member**  
**Fernando Alvarez-Perez, Coral Gables Resident**  
**Rosa Mayorga, Cultural Development Board Member**  
**Dyanne Henkel, Coral Gables Resident**  
**Olga Ramudo, Coral Gables Resident**  
**Elena Linares, Coral Gables Resident**  
**Lucia Delgado, Coral Gables Resident**  
**June Frost, Coral Gables Resident**  
**Betty McDavit, Coral Gables Resident**  
**Sophia LaRoss, Coral Gables Resident**

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Agenda Item 2-1 and F-1 [9:50:34 a.m.]

2-1: A Resolution by the Cultural Development Board strongly supporting the selection process selected artist and public artwork Passion/Passiflora Incarnation at its current location on Segovia Street at Coral Way and Biltmore Way.

F-1: A Resolution calling a special election on the proposed ballot question and ordinance to be held on Tuesday, April 11, 2017, providing for submission to the electors for approval or disapproval of a ballot question relating to the Alice Aycock sculptures presently located on the Segovia traffic circles at the intersections of Segovia Street and Biltmore Way and Segovia Street and Coral Way, providing for requisite ballot language; providing for procedures for balloting; providing for notice; providing for related matters and providing for an effective date.

Mayor Cason: We are going to move onto 2-1, and I'd like those members of the Cultural Development Board that are here that made a resolution to address us on that.

City Attorney Leen: And Mr. Mayor, 2-1 is going to be consolidated with F-1.

Mayor Cason: Yes.

City Attorney Leen: So the Commission is hearing 2-1 and F-1 at the same time.

City Manager Swanson-Rivenbark: And I know the Chair sent a letter and submitted it for the record, because she was not able to attend.

Mayor Cason: And Craig the ground rules.

City Attorney Leen: Thank you Mr. Mayor. So Item 2-1 and F-1 are being heard at the same time, just to read into the record; Item F-1 is a Resolution to the Commission asking them to call a special election on the proposed ballot question ordinance to be held on Tuesday, April 11, 2017, providing for submission to electors for approval or disapproval of a ballot question relating to the Alice Aycock sculptures presently located at the Segovia traffic circles at the intersection of Segovia Street and Biltmore Way and Segovia Street and Coral Way; providing for requisite ballot language; providing for procedures for balloting; providing for notice; providing for related matters and providing for an effective date, which is sponsored by Commissioner Slesnick, this item. So the two items are being combined and consolidated for purposes of the discussion, because the Cultural Development Board is going to be presenting, my understanding, a resolution in support of these sculptures. Commissioner Slesnick are there speakers here that will be speaking?

Commissioner Slesnick: Yes there are.

City Attorney Leen: OK. So what the Mayor has done essentially for the rules of procedure are that the Cultural Development Board is going to be given a set amount of time to present the

resolution up to ten minutes and then the people speaking against the sculptures or in favor of Item F-1 to put it on the ballot will be given the same amount of time up to ten minutes.

Mayor Cason: We have a number of cards that's going to be way over ten minutes, so if we have somebody, I assume that's going to vote for F-1, if you have a spokesman you can have the full amount of time or as much of that ten minutes as you want. So let's start with the...

Commissioner Keon: Can I ask for clarification Mayor? 2-1 is the resolution, do we vote on this?

City Attorney Leen: No.

Mayor Cason: No. This is just their presentation.

Commissioner Keon: OK. So it's their presentation and the only item that could be moved or could be voted on is F-2, and they are separate.

Mayor Cason: Separate, but they are related.

Commissioner Keon: OK...

City Attorney Leen: Whatever the Commission does in F-1, the Commission will accept 2-1, because it's simply minutes.

Historic Preservation Officer Spain: I would like to read into the record the motion that was made at the Board level, this is from the Cultural Development Board and the motion was, echoing the Arts Advisory Panel's resolution, which we had in the previous City Commission, and strong support of the appointed Segovia Circle artwork judging panel, the selection process that was followed, and the ultimate selection of the Alice Aycock Artwork Passion/Passiflora Incarnation and installation, further recommending that the City Commission keep the artwork at the installed location within the Segovia Street traffic circle and urging the Commission to resolve the matter as soon as possible with the encouragement of greater citizen involvement throughout future public art projects. So I'd like to turn it over to a Board member – state your name.

Ms. Burgos: Good morning again. Excuse me; I'm a little under the weather. Nina Burgos, I'm one of the Board members on the Cultural Development Board. Just wanted to let the Commission know, although they are already aware that we have both an Arts Advisory Panel and a Cultural Development Board that is unanimously going forward and agreeing on both the

location of the artwork and also approving the process and we are urging that a decision is made swiftly on this issue. Ms. Aycock is a world renowned artist, whose work was displayed on Park Avenue. The international and national attention that this is getting here at the City when we had the Art Basel event, people from all over the world came to visit the event and see the sculptures and we believe both as a panel and a board that delaying this process further is not going to help the City's perspective. We want the City to have more art come here, we want to have more work come here to the City and an event like this and a situation such as this needs to be resolved swiftly, so that we can move forward and continue to be the City Beautiful and have these international works here. Thank you.

Mr. Alvarez-Perez: Hi, Fernando Alvarez-Perez, 4103 Anderson Road. I don't like to speak much, so I didn't think I was going to be speaking again about this situation, but I just like to take a few seconds to frame the consequences of what's going on here in Miami. We already know and we've already gone through who Alice Aycock is, I have all of the information here available for whoever is interested in. Alice Aycock is a member of the national Academic Museum, she's a Marlboro Gallery Artist, and the articles that had been shown on this controversy about Coral Gables and the artwork trying to be eliminated from the City of Coral Gables have shown up in Art Cabinet about Black Friday, Art Basel and Alice Aycock, BBT News, calinar.com, South Florida News Service and....Now art magazines that feature Alice Aycock shows the Arts Observer, here it is, Alice Aycock's work in Park Avenue, which is supposed to have been by Merrick's understanding and interest to be Biltmore Way. I'm sorry, the Park Avenue of Coral Gables was supposed to be and here's Alice Aycock's work there. Artsy Magazine, Glowing Art Info, just Art Net, Art Form, etc. And these may be even more important for the City, if not in the artistic sense; the lay press has taken issue on this. Here's an article on Architectural Digest, New York Times, Hampton's Magazine, and believe it or not and very interesting, the New York Post; and the New York Post writes an article about Alice Aycock and how art became real estate's hottest sales tool; and finally, I think that we need to just get over this because this is harming our City and internationally we need that City to become what Merrick wanted and what all of our City has worked for and that it deserves that it becomes a City grounded on Merrick's view, but in the 21<sup>st</sup> century with artwork that justifies that. So those are my views. Please finish this as swiftly as possible. Thank you.

Mayor Cason: Thank you.

Ms. Burgos: May I add, I'm sorry, just to make it clear the Cultural Development Board we encourage citizen involvement in future processes, it's not the issue at all. We want the citizens to be involved in this process in public art. However, what we feel is that the process and the way the art is as is should stay, it should not be removed, it should not be changed, and that moving forward we can have further discussions in further projects, but as is for the perspective

and the view of the City for the artwork that's high quality that's put there that things should remain as is and we would like to again ask the Commission to render a decision. Thank you.

Mayor Cason: Thank you. Anyone else want to speak in favor, otherwise we'll have ten minutes total for whoever wants to speak against it. City Clerk if you would keep the light on for a total of ten minutes whoever wants to speak. Are you going to be in favor or against?

Ms. Mayorga: In favor. Good morning, my name is Rosa Mayorga, and as a member of the Cultural Development Board, I am also in favor of the sculpture staying. I'm also a resident of Coral Gables. Thank you.

Mayor Cason: Thank you.

Commissioner Lago: Thank you very much.

Mayor Cason: OK. City Clerk if you can set the clock and then I have some remarks to make after the ten minutes are up.

Historic Preservation Officer Spain: I just want to note that we have two other members that don't wish to speak, Betty Horowitz and also Dr. Damian is here and she is on the Arts Advisory Panel.

Commissioner Lago: And Mayor if I may, I think we also received several letters from people who stated that obviously they were in favor or against the sculpture, but they weren't able to be here today.

Mayor Cason: And I think for the record, even though the Cultural Development Board and the Arts Advisory Board don't have a say on siting, that's the Board of Architects and the Board of Architects unanimously approved that location; and I'd also like to point out that in the Arts Master Plan, which was done in 2010, the Segovia Circle with a flower design. The Art Master Plan called for a civic monument of this sort there, it was unanimous by the Commission in the 2000's that something like this should go in there. The Board of Architects approved it, so you had mentioned something that you had approved the or in favor of the location, but that was Board of Architects. Also, the Historical Preservation Board supported the, I think it was the smaller art piece, because it was historic; and I think the bigger one that actually belonged to Miami, we had to go through some hoops to get that for the City, if that's not correct, for an art piece nothing else.

Historic Preservation Officer Spain: It was actually, I think for the smaller one on Coral Way, we had to go to the County and carve out that intersection, because they don't allow art in County, they don't allow structures in County intersections, so that is now a City intersection.

City Attorney Leen: Special permission from the County.

Mayor Cason: To put the artwork there.

City Attorney Leen: Mr. Mayor if I can, so for the next ten minutes, I just want to be clear about what the resolution is on behalf of Commissioner Slesnick. What this resolution would do is, as everyone knows there was a petition process, they tried to obtain signatures to place a matter on the ballot, and what the matter would have been is to direct essentially the City Attorney to meet with Ms. Aycock, to negotiate the movement of the sculpture, and if it couldn't be moved it would start a 180 day process whereby the sculpture would be removed. There were two-thirty day periods for the signatures to be obtained and it was, Mr. Clerk, how many signatures were necessary?

City Clerk Foeman: I don't have it before me – 6,133 was the total necessary.

City Attorney Leen: So there were signatures that were obtained, they did not reach the 6,000 amount, Mr. Clerk how many signatures were obtained for the record?

City Clerk Foeman: It was a little over a thousand.

Mayor Cason: One thousand one hundred and seventy-four (1,174) signatures.

City Attorney Leen: So what Commissioner Slesnick has done is because there were not enough signatures to place, for the citizen petitioners to place it on the ballot as a matter of law, Commissioner Slesnick by resolution is asking the Commission to put the question on the ballot as to whether to initiate this process or not. The Commission does have that authority, but it would require a majority vote of the Commission to do so. So with that, I would turn it back to you Mr. Mayor.

Mayor Cason: And let me go back to – remember this year – last year we had a Charter Review Commission, each of us appointed somebody to the Charter Review Commission, they looked at all aspects of the Charter. One of the aspects of the Charter was the Initiative Process, which requires 20 percent of the registered voters. That was not changed that was carried forward and that's important, because there is a procedure for putting things on the ballot and its 20 percent of the registered voters – 30,663 registered voters, the petitions got 1,174, they got 3.8 percent of

the required signatures, and of the total residents in the Gables they got 2.29 percent. So I think that's important to have that as a background to whatever discussion they would like to start now. So City Clerk, if you'd turn the timer on. I'm going to run down in the order that I got these and remember you have ten minutes, so the faster you are to get your points, don't duplicate somebody else's. Let's start with Geannina Borgus, Oh, excuse me, OK.

City Attorney Leen: Mr. Mayor how many speakers are there?

Mayor Cason: About ten or so.

City Attorney Leen: So if the speakers want to, the best way when you have a limited amount of time of ten minutes is to agree to have someone basically present on your behalf. Commissioner Slesnick is there someone in particular?

Commissioner Slesnick: Or we can get two or three, but maybe everybody could come up that wants to speak, since they are here and then they can...

City Attorney Leen: So what I would suggest since Commissioner Slesnick is the sponsor is to have them speak for ten minutes and that's going to be limited by the Mayor, because if not, this item has gone through public discussion before, so it will be ten minutes and then Commissioner Slesnick may want to present her item as the sponsor, and then the Commission would, there would be a motion Mr. Mayor.

Mayor Cason: Yes. OK. And we have a time certain for – we moved back from 10, we'll move it to 10:15 (a.m.), so go ahead.

City Attorney Leen: So Mr. Clerk please start the ten minutes.

Mayor Cason: Please say your name.

Mr. Palacio: My name is Luis Palacio; I have been a resident of Coral Gables for the last 33 years. I live in the historical part of the City and this is important, because you get a lot of votes, if I was in South Gables I probably would not object to the art pieces that are in the historic part of Coral Gables. First and foremost, you are elected officials and what I want you to understand is that I was not questioning the value of those art pieces, but if we are to follow our founders vision of Coral Gables as a Mediterranean flavored City, those two pieces don't belong there. If they would have placed someplace else I would not object to it, but I live in the historical part of Coral Gables, I'm affected, every day I drive by. If I was, as I said in South Gables, I probably would not object to it. So when you think of votes, the thousand votes that you got from people



that are right in the area for the most part, and as I said, I'm not questioning the value or the designation of those pieces that are art pieces. I'm questioning the fact that we could have had the University of Miami Art School provide us with some renditions of fountains that would be much less expensive and easier to maintain, and I'm not thinking of a...fountain or anything like that, but something that would be a better fit with the area where we live. So I want you to understand and I hope that you will take it into consideration to really take a look at it and if we are to follow the democratic process of this beautiful land where we live, a lot of us that live in this area that are affected in the immediacy where the art pieces are located we should have a voice and that's what you have always done, if there is some variation with the house or anything like that, you always write to the people that will be immediately affected; and as I said, all I ask you is to think about us, the ones that live in the immediate area that we feel that George Merrick would like a fountain that would be more in line with the Mediterranean and Hispanic vision that he had. And I just want to say thank you to all of you, because you are doing a super job; the City Manager, we are very proud of the work she does; our Police Department is something that we should always financially if we can save some money with the art pieces and put it into the Police Department, I think that would be money well spent. Thank you so much.

Ms. Henkel: Good morning, my name is Dyanne Henkel, I reside at 620 Alhambra Circle, which as you know is very close to the fountain, I'm on the Segovia Circle, the corner of Alhambra and Segovia Circle where all that construction has been for years. I don't want to take up too much time, my emphasis also the one that the previous speaker said, is not the actual sculpture itself; it's just the character of the Gables. I have to come to the Gables Board when I'm going to paint my house and the color has to be approved in keeping with the neighborhood. I had to do a permit when I wanted to do the pool, because the tile had to be in keeping with the neighborhood. Jeannett that's a beautiful purple, but if I wanted to paint my house that color, I would not be permitted to do so, yet the sculpture is yellow and green and purple and its cheerful and its nice, but it's not historic. The metal bars are also very distracting from the Gables; and the whole point is the people were not consulted, the people who live nearby. I have to pass this every day to work; I work within five minutes from my house near the Flemings Building. I drive from my house, I actually go out of my way, because it's just offensive to some people and I understand its art, nobody is going to like every art, but it's just not what Coral Gables is supposed to be about, it's not Mediterranean; and the people were not consulted at all the same way we need to consult the Board when we paint our house, so that we don't paint it a beautiful color purple, no matter how much we all like purple. One other concern, I'll be brief, is the traffic, it's very large, it's very distracting, people in Miami do not know what to do with a traffic circle. I mean it's better than nothing, I understand, but they don't know what to do and when they see that large piece of art in the middle of the circle, I'm just very worried, it's very distracting and I just think the people should get to choose. They should present the issue to the Board the same way we need to present our issues to you, like our houses. Thank you.



Ms. Ramudo: Olga Ramudo, 625 Alhambra Circle. I think by now you all know where I stand, just want to make it very, very clear no one is questioning the merits of the artist, she's a wonderful artist. Does it match Coral Gables vision?- no it doesn't, and all we are asking let's follow the democratic process and let the residents decide; let's just support to put it for the vote, that's all we are asking to move it to a more suitable place. We are not even enquiring at this point about the process...the spent, which many has questioned. Let's move the sculpture to a more suitable place and let the residents decide what they want to do. Let's follow the democratic process. Thank you.

Ms. Linares: Good morning. My name is Elena Linares; I've been a resident of Coral Gables for over 30 years. I also have my business here on Miracle Mile. I go through the circle and see the artwork; it makes me really sad to see that the residents were not included in the process. I found out as it was being built, it is really, really not suitable for our City, our City Beautiful. With all due respect to the artist, it does not fit our City and that's my point. Thank you.

Mayor Cason: Thank you.

Ms. Delgado: My name is Lucia Delgado and I live at 600 Biltmore Way, and of course we are right next to the sculpture; and I question, you've had some concern about budgets and so forth, and I question the amount of money that has been put into something that none of the residents as far as I know have had any input into this, I mean it's kind of late when the sculpture is already up, but I think we should have had some kind of question or some kind of input into this artwork. Of course art is very, very personal and what you might like I may not like, I'm an artist myself, and I think it's OK for someplace else, but not in that circle, and of course this is just my opinion, but I'm sure that there are many, many residents, although we didn't get all the signatures, there are many, many residents who are dissatisfied with this, and it's like making a choice to put something in my backyard or my front yard without my consent, and I don't think that's the democratic way. Thank you.

Mayor Cason: Thank you. Anybody else that has a different, something else to add to this, you are getting close to your ten minutes.

Ms. Frost: June Frost, 600 Biltmore Way. Thank you Mayor and Commissioners for this opportunity to comment. I wanted to say a few words about voting and democracy. Last Friday I watched the Inauguration of the 45<sup>th</sup> President of the United States, not because my candidate won, but because I'm a patriotic American. I wanted to see the peaceful transfer of power from one party to the opposition party. This is one of democracy's greatest traditions and much admired around the world. Another of our democracy's greatest features is the ability of its

citizens to vote at the ballot box. When we elected you to represent us and manage the affairs of our City, I doubt we knew or cared what your taste in art were like, but we did trust you to preserve the aesthetics of a community that for 100 years has successfully featured a Mediterranean style of architecture and artistic design. There is no right or wrong in matters of taste, but there are preferences, and if the majority prefer not to look at the sculptures let them say so at the ballot box; and if the majority prefer the ultra-modern sculptures let them say so at the ballot box. Voting is a privilege. I hope that we residents of Coral Gables will be able to exercise that privilege on April 11<sup>th</sup> and freely choose whether we want to keep the sculptures or not. I think that would be a fair way to bring closure to the dissention. I wanted to add a postscript, Mayor, when you were – your swearing in, April 2015, there was an article by Monique Madum in the Miami Herald, and she quoted you, you said, we will work to ensure that future development is in character with Coral Gables personality codes and zoning regulations, Brickell will never come to Coral Gables. I want to thank you for that quote and thank you again for the privilege of addressing you.

Mayor Cason: Thank you. We have time for one more person and then I'll ask Emilio Cajeras who wanted to speak for the other side on this.

Mr. Davis: John Davis, Coral Gables resident, 1252 Venetia. Like the others have said, I have no problem with the artist or her reputation or whatever. It's all about the money, \$1 million dollars to decorate a traffic circle. I raised three daughters, sent three daughters to St. Brenden's, UM, bought each one a new car when they graduated from high school, still don't have any bills to pay, OK, and I did it by watching pennies. This traffic circle does nothing to produce clean air, nothing to help the traffic flow, nothing to prevent crime, nothing to prevent pollution, doesn't do anything for our health, welfare, or lifestyle other than look nice, and to spend a million dollars on it, to me it's just completely and absolutely and positively out of proportion.

Mayor Cason: Thank you, time's up. Let me ask Emilio Cajeras...many other people have, its ten minutes, your arguments – I asked you if you had somebody who wanted to consolidate them. You have another argument that we haven't heard other than you don't like it? I mean the point is, it's not volume its arguments.

Unknown Speaker: [Inaudible – off mic]

Mayor Cason: Emilio Cajeras first.

Mr. Cajeras: Mr. Mayor, Commissioners, Emilio Cajeras, 7201 Capilla Court. I'm a resident of Coral Gables over 25 years, an art collector, an art lover, and I love the sculpture. I think Coral Gables has always wanted to be in the forefront of art like it used to be. It used to be our

artworks were the best, all the art galleries were here, we were known for that until Wynnewood happened, the Design District happened, downtown Coral Gables. I think this is an opportunity to grab some of that back. We are always jealous of whenever Art Basel comes nothing happens in the Gables, it happens everywhere else. Now we have an opportunity with the sculpture that was approved, that was curated, that had public hearings, that is a signature piece for us that I think we deserve. I was in Chicago recently and I bought this T-shirt. Do you remember the famous Picasso sculpture that was derided and was criticized that people wanted to move, it's now an iconic piece. I think this can become this. I think there is a lot of controversy, which is not bad for art, all good art gets criticized. I think we deserve to keep it, let's give it a shot, and like I said, let's fear no art. This is from the Chicago Museum, they had these T-shirts made after the whole controversy and now everybody loves the sculpture. Thank you.

Mayor Cason: If somebody has something that we haven't heard, I'll give one minute each, because we had a ten minute time, so something different, because we don't need to keep hearing the same that we don't like it or it's too expensive, we heard those arguments. If there is a new argument, please.

Unidentified Speaker: First of all, I do want to express my gratitude to each one of you, and all of you for what you are doing for our beautiful City, you've heard that a lot I'm sure. So my issue is with what Mrs. Frost and Mr. Palacio said about the sculpture, and so in talking about money, we have so many needs, our crosswalks, they are non-existent, our signage in Coral Gables is lacking and we spend so much money, and now also we are paying interest over the investment of this sculpture, which is beautiful, but it does not fit within the design of Coral Gables, and I would like to request that this will be put on the ballot on the 11<sup>th</sup> of April and that each one of you will have the opportunity to show your understanding of democracy. Its right for us to vote and express what we think, what we would like, and so that is my request for each one of you and as a body to express your understanding of democracy and that we feel that we can vote and we are able to vote especially with investments of this magnitude, which has no return, this investment has no return; art is wonderful, but this particular investment has no return for the City of Coral Gables, we could do better I think. Thank you very much.

Mayor Cason: One minute.

Ms. McDavit: I'm Betty McDavit, I've been in Coral Gables for over 50 years, I'd like to say one thing. Put the blooming onions to the vote.

Mayor Cason: OK. Thank you. We've heard – do you have something?

Ms. LaRoss: I'm Sophia LaRoss, I live at 440 Almeria and I have been living in Coral Gables since 1974; and I want to say besides what everybody else has said that I think it's a distraction for the drivers there. I think if you are going around the circle you can't see on the other side and I think it's a hazard for drivers. Thank you.

Mayor Cason: Thank you. OK. Let me make a couple of points on some of the arguments that have been brought up. First of all, in terms of traffic that it's dangerous and so on, we took a look at all of the accidents in that area and the accidents from June through November are roughly half of what they were when the sculpture wasn't there. If anybody would like to see it we can put it on the public record. Secondly, the Commission unanimously voted to put the art in that circle. The Arts Advisory Board, the Board of Architects, the Master Art Plan called for a sculpture of that sort in that place. We voted and Commissioner Slesnick made the motion, we voted on the 23<sup>rd</sup> of February of last year, unanimously to spend \$100,000 to put that piece of art in that circle, was unanimously. Secondly, another thing, that this is not historic and Mediterranean – of course it's not, but if you look at the Art in Public Places Master Plan it calls for art that's not necessarily traditional, but also playful, appears over and over again, art's that's different. To think that George Merrick would not, and people have been saying that George Merrick would never approve of this – well think about what George Merrick did. He put in those villages, including a Chinese Village in the 1920's when we did not allow Chinese to immigrate to the United States, talk about forward-looking, talk about something that was bold and visionary. George Merrick was not a person that wanted art to stay in just one way throughout the history of the City. What about the Water Tower?- that's whimsical, that's interesting, that's different. So to say that putting George Merrick's words that he would be opposed to any kind of art that wasn't a fountain or an obelisk I think is just wrong. If you look back, and I went back through the history of the creation of the Cultural Development Board, the Cultural Board and the Arts Advisory Board, it was approved in 2007 and 2008, the plan was approved in 2010, again unanimously by the Commission and there was no – it was made very clear that choice is about the art for the City would not be made by the citizens, but by art experts. The Cultural Board is composed of regular lay people, they decided to have an Art in Public Places Advisory Board for determinations of certain types of art, it has never been contemplated, nor is it in Miami-Dade that you go out to the citizens and they vote on what kind of art. What are you going to win?- 51-49?- what artist would go through this process that Alice Aycock went through, 180-some people, months and months, and then in the end saying, well some people in the City don't like it and so therefore we are going to have a public vote on it, which is costly by the way. But the point is, art has been made very clear, beauty is in the eye of the beholder, it's supposed to be controversial. We went through a process, the process was followed; the money from this came from a renegotiation of City debt, came from the Neighborhood Renaissance Program by going from basically a variable rate most of our debt to fixed, rate and we pulled money out and that was used for most of the Neighborhood

Renaissance projects. So we've gone through the process. We are a representative democracy, not a direct democracy. We are here to make decisions on the best interest of the City, we've done that, we voted unanimously for this project and we voted unanimously to put it where it is. It does not cause accidents, it's in the character of the Gables, it's recognized as a wonderful piece of art. Some people don't like it, but that's just the way it is. And are we going to open up all art in Coral Gables in the future for somebody who doesn't like it to call for a referendum? We went through the process; the process was you were going to get 6,133 signatures; you got 3.83 percent of that, of what was required of the necessary. So, that's the procedures ratified recently. So, unfortunately for those who want the art to go somewhere else, you did not prevail, you didn't get the signatures, and on those in the second month you had 60 signatures; the first month you had 1,400, of which 25 percent were invalidated. So, it's not like there is a massive number of people still protesting. I haven't had an e-mail on this, I don't know about the rest of you, in the last couple of months. So, I am going to vote against this resolution strongly, I feel very, very strongly, it's the death of Art in Public Places if we allow second-guessing of art chosen by our art experts who are all the most prominent people in their field. So, I'll open it up to discussion among...

Commissioner Lago: I wanted to just hit on one topic that one of the residents brought up and that was the issue of, we could spend this money on crosswalks and maybe we could have one of our Public Works Directors or our Assistant City Manager and maybe the Manager wants to touch on what we are doing in reference to crosswalks, I don't want to leave that hanging out there. I think we should address that issue that we have a plan that we are addressing crosswalks right now, we've spent significant amount of time and effort ensuring that our sidewalks are connected, that our crosswalks are in place, and as a matter of fact one of my points I'm going to bring up later is a crosswalk that's being requested by a resident, but we'll talk about that later. Can you give us an update just to make sure, because one of the residents mentioned that we could be using this money for crosswalks? What are we doing in reference to that?

Public Works Director Santamaria: So, right now we have several initiatives regarding crosswalks – the department is very focused on two particular components, which are mobility and livability in the City and pedestrians are a big part of those two concepts. Right now we have embarked on a process of restriping a lot of the existing crosswalks to enhance safety. We have reached an arrangement with Miami-Dade County where we are going to have a high contrast crosswalk, rather than the ones they usually provide, which are standard. So, that will provide pedestrian safety and improve the quality of the crosswalks within the City. Anywhere that we can provide crosswalks we are also looking at providing them, so the department is very, very focused in that initiative.

Commissioner Lago: And we have the monies for certain portions of the crosswalk budgeted for next year, correct?

Public Works Director Santamaria: We do.

City Manager Swanson-Rivenbark: You have a five year plan, you have hundreds of thousands of dollars, crosswalks earmarked for sidewalks, earmarked for the completion of the...

Commissioner Lago: And also I want the Manager to maybe answer this question or you can answer it. I went to meet with our Mayor in the County, because there were several crosswalks, the one that was – two that were for Ingraham Park that had been basically, I don't want to say put on the backburner, but they had been requested for years and finally they were taken care of, because there was a little bit of an issue. I know that Ms. Keller is here; maybe she can also come up here, because we've been dealing with this issue in regards to crosswalks for the past two years.

Commissioner Slesnick: Can we get back to the question, we are straying off point.

Commissioner Lago: But I think it's important that we talk about crosswalks for a second, because if you mention the issue that we could use this money for crosswalks, I want to make sure about that.

Mayor Cason: Money has already been spent on crosswalks.

Commissioner Lago: We are working on that, we have it budgeted and some crosswalks will be a continued focal point of our budget.

Mayor Cason: Commissioner Keon do you have anything?

Commissioner Keon: No.

Mayor Cason: Commissioner Slesnick you want to....

Commissioner Slesnick: Yes. I'd like to just correct something Mr. Mayor and rumors have been going around that I voted in favor of the sculpture when it was up from the Cultural Affairs Board for approval. I was not in office at the time that happened in November of 2014, and I was elected until April of 2015. What the \$100,000, which is nowhere near the million-one that the sculpture cost, I was told that it was for the irrigation and sprinkler system on the two circles and for landscaping and for maybe curbing or something else that went with that. So, that \$100,000



that was on the Consent Agenda in February, which we all approved, was not for the actual installation of the sculptures.

Mayor Cason: Can I read the resolution 2016-57?

Commissioner Slesnick: Yes.

Mayor Cason: A Resolution of the City Commission to allocation an additional \$100,000 from the Neighborhood Renaissance Program or the Art Acquisition Fund for the installation of the Alice Aycock sculpture.

Commissioner Slesnick: Yes. It was already basically under construction and that's an additional \$100,000, it doesn't say \$1.1 million, it's an additional \$100,000. That's the way people write up things that come up before us, they don't always put all the details in.

Mayor Cason: But you've had people say that they don't mind the art, they just don't want it placed there. Well, we unanimously agreed to spend the money to place it there for the installation of the art. So, that's a fact.

Commissioner Slesnick: In November of 2014, and I know everyone on this Commission, except for me, voted to approve the initial installation of the sculpture in 2014. I have no problem with that, I have no problem right now with the beauty of the sculpture, with Alice Aycock, with her reputation, what I'm talking about is a democratic process and at one of our previous Commission meetings, and you like to point out that 6,000 people, 6,133 people were needed for this, out of the 30,000 people that we have registered to vote, we don't even have 8,000 people that come out to vote in Coral Gables elections, so that was an insurmountable amount of petitions that needed to be signed in a two-month period. People have stopped writing to – I appreciate my fellow Commissioners up here and the Mayor, but people have stopped writing you about the sculpture, because they have given up hope on changing your mind. I would like to submit all of these letters and also surveys that was sent to me in the last two or three months for public record where people have written to me and also done surveys about what they would like to do with the sculptures and their feeling about it; and two or three people here are not in Coral Gables and two or three did not identify themselves, but I would like to submit those to public record. All, but about seven of these would like to have the sculpture moved. I also, one of our fellow Commissioners brought up that back on the pick-up truck ordinance, 6,000 petitions were signed and that is not the case. I went back and I have the whole pick-up truck ordinance effort starting from 2008 when the City was sued by Lowell Kuvin, in order to have pick-up trucks here. This is the last when we voted this in 2012 that was the last time we had a referendum in Coral Gables. According to this, the City was sued by Lowell Kuvin in order to have pick-up



trucks allowed in Coral Gables to be parked overnight. It went through the court system, did not pass the – was not approved in the Appellate Court, it went to the Florida Supreme Court. The City spent \$257,000 on this, and that’s a lot of money for protecting the City, but they did, and the Supreme Court upheld the City of Coral Gables in 2012, no 2011, that they had zoning laws and people had to live by the zoning laws and they were in place before the pick-up trucks came into Coral Gables. So, the City spent \$257,000 on that at that time. In 2012, when all of you came, no, it was not all of you; Commissioner Lago and Pat Keon were not here. About 50 people decided that they really wanted to allow pick-up trucks; this is after it went to the Supreme Court and ruled in favor of the City. So, at that time the current Commission had a workshop on June 4, 2012, and about 26 people spoke at that workshop. Several of them are here in the audience today. The audience was in favor 50 percent and not in favor 50 percent of the speakers that spoke on that day; and at that time the Commission, and that workshop decided to go -- the next day in the Commission meeting, decided to go ahead and put it on the agenda themselves to have a referendum in the election of November 2012. So that’s the history, which – I read through all of this, it’s in my office if anybody you would like to hear the history of the pick-up trucks. The reason I bring up the pick-up truck ordinance is, I believe this is a democratic process and if we have such controversy, I’ve never gotten so many notes, calls, people talking to me at Publix, walking around the golf course, I’ve never had so many people talking to me about this since I came to office, and I’d like to let them have a voice; and I just want to read one thing.. Again, I’m not for the sculpture, there are a lot of other places it could go, I’m not against it. It is a busy circle and I live two blocks away and never heard anything about this before it was approved in November of 2014. I didn’t know about it until after it was approved. So, it was not publicly vetted, even though there were a lot of different people that said there were 31 times that you could come speak on it. We had a different City Manager at the time and a different Economic Development Director, they negotiated the contract with Alice Aycock, it was very closed, and it was not publicly vetted. I think the people of Coral Gables need to have a chance if there are so many people are interested and to putting it on the April 11<sup>th</sup> ballot. It will not cost us anything, because we are already having an election. Right now there is not a lot of interest in the April 11<sup>th</sup> election, most people don’t even know we are going to have one in Coral Gables, except for those that are very, very interested in our community, which I applaud all of you in the audience for being so involved, but I do want to read one thing from the June 4, 2012 workshop. A quote from somebody that I respect who has given a lot of time to the City, we may not always agree, but this is somebody that I feel gives of themselves to the City and we all, especially all of us here appreciate Coral Gables. I love Coral Gables, again, we don’t always agree, but I want a democratic process here, and this is a quote from June 4, 2012. *“I think a representative form of democratic government provides an avenue for the people to speak directly on issues of wide import, a binding referendum. I don’t think there could be any clearer direction to government than the voice of the people on Election Day. There are strong arguments and many articulate advocates on both sides of this issue. I want us to have a*

*discourse without dissidents and make our decision as a community democratically. So, I personally feel that this issue should go to a referendum.”* this is on the pickup trucks. This is Mayor Cason, June 4, 2012 on the public record. I would like to move that we allow this to be democratically decided in the April 11 election.

[Audience Applause]

City Attorney Leen: No clapping, just remember no clapping.

Commissioner Keon: I just wanted to comment that Bill Kerdyk was on the Commission at the time, and so was Bill Kerdyk was the fifth member that voted unanimously to install the sculpture that had gone through the process.

Commissioner Slesnick: Yes. I took Bill Kerdyk’s place.

Commissioner Keon: Yes. You weren’t on the Commission; it was Bill Kerdyk at the time.

Commissioner Lago: I just want to make one simple comment before we move forward. We’ve heard several statements about a democratic process. Again, there was a nice lady who spoke about loving this country and maybe her candidate didn’t win, the day of the election, but she was in support of the peaceful transfer of power in this great nation that we are so humbled to call home. There has been a democratic process, there has been an expensive democratic process; there have been 31 to 32 meetings, public meetings where the sculpture has been shown, has been vetted, where there has been public input, and correct me if I’m wrong Madam Manager, Mr. City Attorney, nobody came up and said that they were opposed to the sculpture. As a matter of fact, some of the people who are opposed to it said, I think it looks different, but the renderings are very similar almost to 100 percent, but they were a little bit thrown off by the magnitude of the sculpture. You know there are sometimes when you look at art, the intent of art is to make you think, in my opinion, and I’m not a professional art scholar, but art engages you, art is supposed to make you think about what is the meaning behind the work, and there are certain works in the City that don’t engage me, that every day I have to drive by, every single day I have to drive by, when I take my daughter to the library, when I take my daughter to school every morning at Banyan, or when I take my daughter to Coral Gables Youth Center, I have to drive by a certain piece of artwork that in my opinion is not the most aesthetically pleasing work that has been there for seven or eight years, but to me, it should not be in the location it’s at, and it is constantly on view from every single person that drives on LeJeune, I’m not going to mention the work, but it’s there out of respect for the artist. I’m not calling for the removal of that work; I’m not calling for the relocation of that work. That work has been placed in this position and maybe one day it will grow on me and may be one day it will be something that I

view it, look at it with pride. I think that we need to have a little bit more tolerance. We have an opportunity to embrace a piece of art, which is world class. I don't want to get into the back and forth that it was publicly vetted. We all know that the City of Coral Gables has the highest level of transparency of any City. We mention it at every Commission meeting, if it's either notifying the residents, its either having a page on the Neighborhood section, if it's either putting our agenda on the website, if it's either putting projects like the ones that we are reviewing today up on the website for all in this room to review, if its either the app that Commissioner Quesada pushed for so much where everything is available, we are by far the most transparent City in Coral Gables, and I will mention it till the day that I am no longer on this dais, because it is incredibly important we cannot perpetuate falsehoods that we are not following the democratic process, that we are not spending money on crosswalks, that we are not ensuring that public safety is number one. We looked at the numbers; incidents in regards to traffic incidents have come down significantly, so you can't blame me. So, I want to be very careful, again, if you don't like the artwork, it doesn't appease you that's understandable, but this is not an issue where we can just make up statements and say, well I didn't say that, or let me be careful about this, or certain resolution that I voted for, which states clearly funds for the installation of the Alice Aycock, that wasn't the case. It's in black and white, the documents are here, so I think we need to move forward on this issue and I think that we should come together and just be a little more tolerant on this issue and not be so consumed. There were 31 to 32 public meetings where we discussed this. I was at many of them. They were held on Miracle Mile; the posters were put up. I remember one of them was where we showed what Miracle Mile would look like and we had all the posters, and I think Madam City Manager, were you at that unveiling where we should the sampling of the pavers on Miracle Mile next to Starbucks?

City Manager Swanson-Rivenbark: Yes I was.

Commissioner Lago: And how many people were at that meeting?- again, there had to be many people that walked through and saw the pavers, saw the artwork, that was one of the many opportunities to vet the sculpture. Professionals made a decision, professionals who are curators, who are directors of major museums in this community guided the City of Coral Gables in our decision. So, I just want to be very careful of the decisions and the comments that we make here, because they last forever, it's in perpetuity. We have to be clear, and we have to state the facts, not lead by misleading's.

Mayor Cason: Before we have a vote on this, I want to read something that was said back in a number of years ago by a prominent person in the City. To me Art in Public Places is for the passerby, downtown it will be different, you won't even have to get out of your car and most of our public art will be for the passerby, the person who will appreciate art, because it exist and it's there in front of them, it's not something they have to seek out, and it's for the person who

maybe never saw themselves as an art appreciation person, but they are thrust on them and they are put into a position of having to appreciate art or decide if they appreciate art or determine what kind of art they like and their minds will be broadened and we will be a more cultural City – Don Slesnick. So, if you want to have a – let’s have a motion, do you have a motion? - Commissioner Slesnick do you have a motion?

City Attorney Leen: Commissioner Slesnick you have a pending motion to approve F-1.

Commissioner Slesnick: Yes.

City Attorney Leen: Is there a second Mr. Mayor?

Mayor Cason: Is there a second? The motion dies. Thank you very much.

Commissioner Slesnick: Thank you all.

[End: 10:42:42 a.m.]