

City of Coral Gables City Commission Meeting
Agenda Item D-7
July 9, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Amos Rojas, Jr.

City Clerk, Billy Urquia

Public Speaker(s)

Maria Cruz

Jackson Rip Holmes

Agenda Item D-7 [10:32 a.m.]

Resolution of the City Commission applying the Art in Public Places code condition of “extraordinary maintenance” to the Carlos Cruz-Diaz painted artwork installation.

City Clerk Urquia: Mr. Mayor for Agenda Item D-7, Mrs. Maria Cruz has requested to speak on the item.

Commissioner Castro: I have a question, City Attorney, for this one. Do we have a contract in place?

City Attorney Suarez: Yes, we do.

Commissioner Castro: For how long?

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City Attorney Suarez: It was a ten-year agreement. I don't know exactly which year we're in right now.

Commissioner Castro: So, a ten-year agreement to do what exactly – the artist to paint every year.

City Attorney Suarez: The authorized representative to do the repainting, yes.

Commissioner Castro: So, its every year or every how often?

City Attorney Suarez: Every year. Every year.

Vice Mayor Anderson: And we're still in the midst of the ten-year agreement.

City Attorney Suarez: Correct.

Vice Mayor Anderson: Okay.

Commissioner Castro: And then every year it's how much?

City Attorney Suarez: A total of \$18,500.

Mayor Lago: And where do those funds come from?

City Attorney Suarez: So currently that's what this item is about Mayor. Currently, when that was approved the direction was to use the General Fund for the annual maintenance, the \$18,500, and so this item would change that to allow the extraordinary maintenance. To qualify as extraordinary maintenance, which it does, so that the funds are paid out of the Art in Public Places fund.

Mayor Lago: Thank you.

Vice Mayor Anderson: Just to give you a little background. My first year in, I didn't want taxpayers to be paying for the maintenance of, extraordinary maintenance of any artwork and I wanted the art board to be thinking about the level of maintenance needed on each and every piece that is approved in the city, so the taxpayers are not paying for anything beyond just regular cleaning, pressure cleaning type maintenance. This is included as extraordinary maintenance now, and unfortunately, we're in the midst of this contract. It was previously agreed to.

Commissioner Castro: So, maintenance of other art pieces is coming from the General Fund?

City Attorney Suarez: Routine maintenance, yes.

Vice Mayor Anderson: Routine – cleaning.

Commissioner Castro: Shouldn't that be coming from the art fund though?

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City Attorney Suarez: I think that's part of the – the fund is set up that way so routine maintenance does not come from the art fund, rather anything that's extraordinary which is a change that was made a couple of years ago, was sponsored by the Vice Mayor, if its extraordinary, then yes, it does come from the art fund, but the routine maintenance, that's the day-to-day, that does not come from the art fund.

Commissioner Fernandez: And Commissioner the information that I received; I had a meeting with staff on the use of these funds for maintenance. I believe the number I was given was \$32,000 a year, which is what we're spending on maintenance from the General Fund, that's why I had asked for this to be placed on here, so at least these \$18,000 can be move out of there. I'm still waiting for the exact number on the flower features out here on Segovia. I haven't gotten those numbers yet.

Commissioner Castro: Is this crazy to think but shouldn't all maintenance of art come from the art fund or is that a crazy statement.

Commissioner Fernandez: There are issues with the actual language of the county's ordinance that does not allow us to use, unless it's for extraordinary maintenance.

Commissioner Castro: Okay.

Vice Mayor Anderson: Clerk, I'm going to ask you to share with the Commission the robust discussion that we had back at the time that I did this revision, you know, on the Art in Public Places funds, to require to distill down to extraordinary maintenance. Although I had envisioned removing from the General Fund a lot of the maintenance issues. I was only able to get the extraordinary maintenance taken care of at the time. So, I think that would help get a better understanding of what we're dealt with here on these art pieces. Sorry to interrupt you.

Mrs. Cruz: That's alright. Remember, I have a name, Mrs. Maria Cruz, 1447 Miller Road. You know the more I think about it, I think sometimes we try to separate General Fund from that actually comes from tax money, you know our taxes, and other money that could be used for something else. Santa Clause doesn't give us money. All the money that we use comes from taxpayer money one way or the other. Whether its money that the county gets, whether its money that the federal government gets, its money from us. There is no other funding. So, I have a problem with this. I think somebody should look at the contract and see how this happened. This is absolutely ridiculous. To hold us hostage to \$32,000 a year, whether we take it out of the tax money or whether we take it out of the art money its still \$32,000 a year for somebody to come; and if you look at how its being maintained, all you have to do is, you know, I drive Biltmore, make a left on LeJeune, make a left on the street, I don't remember the name of the street back here, the display there is partially erased. There is something that was done there that there is no painting on. So, we have a little part that was painted, we have a part that's concrete, and I think there's some kind of – there's something because I see like something on the top that's metallic, and then the rest is painted. You know what, a kindergarten kid given the chart could paint those lines.

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Come on. This is enough. \$32,000 a year to do, looks like chalk on the crosswalk. Somebody needs to look at that contract. Somebody needs to see who blew it, because I'm sorry, to agree to a contract for \$32,000 a year to draw – its ridiculous. You know what, come to my house, my granddaughters could take chalk and do it every week and keep it up. Thank you.

Mayor Lago: Mr. Clerk, will you do me a favor. Please would you put forth a simple memo, if possible, I think this dates back probably during, I'm not sure if it was Mayor Cason or Mayor Valdes-Fauli, can you go back to the moment that that information was brought forward to the city. Pull a public records request on that document, send a public records request to the entire Commission as-a-whole everything that includes contracts, everything that includes discussions, emails, everything that we have, where the money was going to come from, how the votes were on the Commission. Please provide that to the entire Commission at your convenience, its no hurry, so that we can all do our due diligence. That was something that I think it was probably 7, 8 years ago, I don't remember exactly the time frame, the exact vote. There are hundreds, if not thousands of votes that have happened since that moment. So, I would like to learn a little bit more and be a little bit more refreshed in regard to that issue. I'm a believer that if you're doing maintenance like the Vice Mayor, and I'd like to also remember my position on the Vice Mayor's legislation. I don't remember how I voted on that. I'd like to see like we broke down the open space legislation where 65 percent goes to acquisition and then the other 35 percent goes to maintenance of certain open spaces. I'd like to see how we're handling that in regard to the maintenance of existing Art in Public Places, the ones that the city has control over. Okay. So, if you could send that to me and send it to the Commission so we can have a better understanding and if it needs to be tweaked, I have no issues moving in that direction. At the end of the day, it only benefits the Art in Public Places position, because you're maintaining valuable assets here in the city and you're not allowing them to deteriorate. So, instead of buying ten pieces, like I've said before, I met with staff and the ACM and the City Manager on this issue, I'd rather buy less, than buy worldclass pieces that are easier to maintain, than buy ten pieces that are going to cost us a lot of money in the future to maintain, and those are conversations that I've had with Catherine, those are conversations that I've had with the Historic Preservation Director, multiple times over the last six months.

City Clerk Urquia: Mr. Mayor, we have one additional speaker on the item, Jackson Rip Holmes.

Mayor Lago: Yes sir.

Mr. Holmes: So, I thank you all for the discussion that you have been willing to have here and just so you know that I'm listening to you. I hear what you're saying that some of or maybe a lot of this is controlled by county regulations which is something I can take up or maybe even the city also can take up, and they're going to be sympathetic because the county is fighting for police officers too, they're competing for police officers, but getting back to the discretionary issue. Mayor Lago, I wonder if I can make you laugh, do you remember when there was an art's group that wanted to open things up to Communist Cuba and you said, look, we've been fighting Communists Cuba and so this group is gone and that was discretionary, right, and I think the Commission was with you in deciding to discretionarily say, bye, bye, to that art funding. And then also, if we look at Giralda, there was tons of money, hundreds of thousands of dollars

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dedicated to the perennial balloon display on Giralda and I was pointed out, you want to help Giralda, give them the spray fans that they use at Disney World to cool things off in the summer when its too hot to eat outdoors, that would have only cost \$20,000 instead of \$200,000. There is discretion. Thanks.

Commissioner Castro: Thank you.

Mayor Lago: Thank you, sir.

Commissioner Fernandez: I'll make a motion.

Vice Mayor Anderson: Second.

Vice Mayor Anderson: Yes

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Mayor Lago: Yes

(Vote: 5-0)