

# **City of Coral Gables City Commission Meeting**

## **Agenda Item E-4**

**May 13, 2008**

**City Commission Chambers**

**405 Biltmore Way, Coral Gables, FL**

### **City Commission**

**Mayor Slesnick Donald D. Slesnick, II**

**Vice Mayor William H. Kerdyk, Jr.**

**Commissioner Maria Anderson**

**Commissioner Rafael “Ralph” Cabrera, Jr.**

**Commissioner Wayne “Chip” Withers**

### **City Staff**

**City Manager, David Brown**

**City Attorney, Elizabeth Hernandez**

**City Clerk, Walter J. Foeman**

**City Clerk Staff, Billy Urquia**

**Planning Director, Eric Riel**

**City Architect, Carlos Mindreau**

### **Public Speaker(s)**

**Luis Revuelta, Architect, Coral Gables Resident**

**Robert Fine, Esq., Coral Gables Resident**

**Charles Girtman, Coral Gables Resident**

**Martha Kuylenssterna, Coral Gables Resident**

**Paul Marcus, Coral Gables Resident**

**Richard Namon, Coral Gables Resident**

**Miguel Cano, Coral Gables Resident**

**Andy Murai, Coral Gables Resident**

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E-4 [Start: 10:07:47 a.m.]

An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Ordinance No. 2007-01, as amended, to permit standing seam metal roofs in the City; providing a repealer provision; a savings clause, and a severability clause; and providing for an effective date.

Mayor Slesnick: Okay, we have a 10 o'clock hearing; it was an ordinance, a proposed ordinance. {Mayor reads ordinance into the public record}--and this comes to us from where?

Mr. Riel: It comes from a number of locations, and I can go over that in my presentation.

Mayor Slesnick: OK, Mr. Riel.

Mr. Riel: As you know the issue of metal roofs has been a subject of numerous meetings. In terms of coming where this came forward, the board, the Planning and Zoning Board has acted on this, I believe three or four times; there was a separate sub-committee set-up made of members of the Board of Architects, Planning and Zoning Board, and Historic Preservation; the Commission has also taken action on this, particular issue – you enacted a ninety (90) day trial period last year, of which staff presented a status report in January; and at the April 8<sup>th</sup> meeting, we came back to the Commission, and you requested that staff present all the alternatives that were available in terms of allowing metal roofs; and I'd like to refer to page two of the City Commission cover memo. Essentially, there are nine different options that are available; and the reason there are nine different options is the fact that staff's recommendation for the allowance of metal roofs as you know was separated in the north and south areas of the City. These nine options, deal with a trial period in the north, a trial period in the south permanent; so if you look through it's kind of a combination of all the options that are available. Staff has recommended option seven, that's the option that we have consistently recommended to the Commission. We have attached an ordinance, Exhibit A, depending on what option the Commission selects. One of those options, could be status quo is not to do anything as well. So, obviously, if that is status quo, there would be no ordinance that would be passed today. But, whatever option you select, we would insert those provisions, and then come back on second reading. We have attached a map which is Exhibit E, and then also is Exhibit F is the comments that we have received since the last public hearing. I do have, if the Commissioners would like to see all the comments from the entire process -- I have one copy here. Everything was put on the web page. We did mail out notice to everyone again. We have sent out about 150 (one hundred and fifty) letters and e-mails. And basically let everybody know that this item is on, and we have also advertised it. So, with that I will turn it over to the Commission, any questions? On the provisions, if you all pass it today, the requirements, provisions, staff's recommendations, they remain the same in terms of the colors, the architectural, and all of that information.

Mayor Slesnick: Thank you. Okay. I would remind the speakers that we have an allowance of three minutes per speaker. So far, almost everyone I have seen a speakers' card from has spoken on this issue before. Please remember in making your comments, that your comments are already part of our record, that your statements and your positions are already part of our record, and that we understand your positions because we have spoken with each of you mostly. I would say this, that in a couple minutes, we are just closing the speakers' cards; and if people wish to speak, now is the time to do it. We will not be taking speaker cards towards the middle or late procedure of this. I will be keeping time because we have not yet had our new speakers timing system installed, so I will try to be as pleasant and cooperative with you, if you do the same with me. Luis Revuelta, 1417 Santa Cruz.

Mr. Luis Revuelta: Good Morning, Thank you.

Mayor Slesnick: Welcome back.

Mr. Revuelta: Thank you, very much. Frankly, I am not going to take all my time, I am going to cut it a little short. You have heard probably everything that I have to say over the last two years. I drove around the Gables this past week and as I have been doing. There are so many examples in North Gables that have the wood homes, homes without full shingles, homes with

flat roofs, and I am seeing the amount of homes, right now, that you see in the Gables with flat roofs, particle shingles, wood homes, different homes that right now are not able to be designed in the Gables; and they don't affect the character, the historical complex of the Gables. When I look at the... homes, when I look at all the features we have in the Coral Gables, I have a tremendous amount of difficulty understanding why a 90-day test pilot program in the North would put in such danger the North part of the City. I am convinced as an architect that it's not going to do that. At this point, we either have the opportunity to be proven wrong or be proven right by what we are requesting. And, what we have tried over the past two years is to at least, in my opinion South should be permitted, but please keep the North, a 90-day test pilot program. At worst scenario, if we are proven wrong -- number one, I have my credibility problem as an architect. Number two, the amount of homestead would eventually qualify based on the regulations that have been put in place will never be any more than the homes around the Gables that are wood structures, actual shingles or flat roofs. If anything, they will remain there as a point of saying look, this architect thought that it was a good idea. If we are proven right, that there is an opportunity for context because of this subjective study, we have now objective criteria on how we judge, whether this is compatible or not regarding the Gables, the City stands to gain a style that is indigenous to the area, it's a vernacular style. It's probably the only style that is true to the area everything else here is eclectic, which is fine. And I think we will stand to gain energy efficiency, safety, and a whole bunch of other reasons that people will.... I am arguing architecture. I just don't to see how a 90-day pilot program to objectively study, and in all fairness, to give the Gables, the North Gables, 90 days to see if it's compatible or not, will harm the City at all, with zero impact, and if we are wrong again, we have a problem with credibility, but there will be no harm to the City. If we are right, I think there is a lot more to gain, than not to gain, not to try the 90-day pilot program. I believe it should be permanent in the South, if you all will make your choice today. So, with that, I will not bore you with anymore of my comments. Please giving us this opportunity, to either be proven right or wrong for objectivity and fairness.

Mayor Slesnick: Thank you, Luis. And by the way, you don't ever bore us with your comments, so thank you.

Mr. Revuelta: Thank you.

Mayor Slesnick: Lorian Revuelta. Lorian Revuelta.

Mr. Revuelta: It's my daughter, she is not here.

Mayor Slesnick: Okay. Robert Fine, 360 Solano Prado.

Mr. Robert Fine: Good Morning, Commissioners. Robert Fine at 360 Solano Prado. I am here today with my wife Isabel, and I have been here before you, I think it's probably now coming on three years on this issue. You're tired of it, I am tired of it, we are all tired of it, and hopefully, we can bring some closure to this today. I started all of this, and I think it's important to go back to the beginning at to why I did so, and it all really comes down to basically what's on this board here, you have seen it before, although I think it's about three years ago this month. And this is a map showing from AON insurance, the Hurricane activity from the Atlantic from '84 to '94 and

the difference in the number of hurricanes from '95 to 2005, and all you hear about from the news and evidence is that it's increasing, it's not decreasing. I live on the waterfront of South Gables, and I am planning on doing work to substantially redo or actually build a new house right there; I wanted to build something that was architecturally nice, but also with the best investment, and mostly, would provide the greatest protection to my home. This by the way, is also like you hear from Mary Anderson; Tom Mooney who apologizes he can't be here, he is sitting on the Historic Preservation Board for Miami Beach today--that's what, this chart, that's what it's all about. I am not going to take a lot of time to go into it today, because, you know, I have got a record going back to almost three years; but in those materials, especially at the beginning, the information clearly shows that metal roofs, certainly is one that meets the South Florida Building Code tie velocity hurricane zone. Our approval is superior when it comes to other roof types when it comes to hurricane issues. Wind resistance, certainly replacement time if you lose a roof, after Wilma a metal roof would have taken eight weeks, a tile roof, you all know, two years later people didn't have their roofs replaced. The only evidence to the contrary are people who said that metal or tile are equally as good because the building code allows it. But, the building code is nothing more than the cheapest way you can legally build something. Nothing says that you can't spend more, you can increase fastening, and actually build something better than the Building Code; and in my opinion, and the opinion of many, when you put on metal roofs, and with the right way, you get better. You have a very difficult job and decision before you today. You are charged with the health, safety and welfare of this City and its citizens. Now certainly aesthetics are a part of that, the courts have held that, I don't think there is any argument that aesthetics are a very important part of the City and the character, but so is the integrity of the structures that are built, that shelter and protect our residents, your residents in hurricanes and other major storms. And, your job today is to strike an appropriate balance. At one of the recent Commission meetings on metal roofs, someone and I am not sure, I recall who that was, said that this City is going through, gone for the last 80 years and for the most part the tile roofs have held up. However, and that may be true, but at least in the last 48 years that I have been alive and living in South Florida, I am a native, as you go to national weather services reports on major hurricanes, these are just Katrina, Wilma and in fact Hurricane Andrew, nothing, there is no evidence that Coral Gables, North of U.S. 1 has had hurricane winds exceeding that of a Category Two storm and maybe not even the strong Category One storm; so the truth is, we don't really know what will happen if a big storm hit the North part of the Gables. I am not going to begrudge, belabor these because they are already in the records from previous proceedings. So that said...

Mayor Slesnick: What time is it?

Mr. Fine: I think Mary Anderson is going to yield me her time, if it's Okay with the Mayor. I am going to wrap this up real quickly, I promise you.

Mayor Slesnick: Mary Anderson is yielding her time?

Mr. Fine: Yes.

Mary Anderson: Yes.

Mayor Slesnick: OK.

Mr. Fine: Thank you. So, coming back to the beginning, there is a balance between aesthetics and storm protection that's in front of you today. There was a pilot project in the South, and I think there is no real question that as a pilot program, metal roofs can exist there with the appropriate regulation and be compatible with the architecture in the South, and based on the results of that pilot project, I urge you to adopt an ordinance that permanently allow metal roofs in the area of the City South and East of U.S.-1. The North part of the City is a much more difficult question. The benefits of metal roofs are the same in the North as they are in the South; and although I didn't mention it before you all are aware of the green benefits and the energy efficiency benefits of metal roofs as well as the structural advantages because they have been discussed here before. Luis Revuelta, Tom Mooney and others of exceptional confidence in their fields relative to this say that metal roofs regulated appropriately, can exist in harmony in the North. Your Board of Architect agrees. Your City Architect and Planning staff feel differently, who is right? I certainly don't feel I have the confidence or the wisdom to know, and I think, the people that I mention, all of them, would probably agree if you asked them that there is some possibility that the other is right. If metal roofs were just about wanting a different look on somebody's house, this would be a different discussion, but this is about the safety of one's home and also the balance of the architecture of this City. In my opinion the only way to know who is right, is to have a very carefully defined pilot project in the North, in addition of course to permanently adopt it in the South, and find out. You five have a terribly difficult decision to make whether now or after a pilot project, if you have one. If and when some big storm comes, you don't want to be second guessing yourselves. If a pilot program proves that metal roofs cannot exist in the North, then so be it; but if they can under appropriate circumstances, then you shouldn't deny it to the residence. We elected you to make tough decisions for us, but you should have the benefit of the best information before you make a decision like this, and because of that again, I urge you to consider a test project in the North. If you don't think the project that it is in front of you is appropriate, ask staff to meet with Luis Revuelta and Tom Looney and folks like that and come back and back in two weeks and propose defined parameters if you don't think they are ready on the project, but I think it's appropriate to have it in the North and again, as you know I strongly urge you to adopt the permanent ordinance in the South. Thank you very much.

Mayor Slesnick: Thank you. Charles Girtman, 744 Tibidabo.

Mr. Charles Girtman: Good Morning.

Commission: Good Morning.

Mr. Girtman: This is not to cast any aspersions on the City Attorney or Commissioner Anderson, I want that noted. When I first, when I last spoke to you I pointed out that Commissioner Anderson had asked the City Attorney if she could legally advocate metal roofs in front of the Planning and Zoning Board. How many times has an answer been given? I asked the City Attorney if I could do this and the City Attorney said "yes." In today's Miami Herald regarding the high-rise project in Mercy Hospital, the Miami Herald had a three-judge panel stopped the Mercy project. The cited they had advice from the City Attorney is no defense. Mayor Manny Diaz negotiated with the Related Group out of ear shot of the public. In his

defense he said the City Attorney said I could; this was cited as one of the reasons for stopping the project. When I spoke to you before, I will just quickly say because I think it's of interest to the public. Any roof built after 2002 qualifies for wind reduction call your insurance company that is if you got a permit and had it inspected. Any light colored roof qualifies for energy rebate from FPL (Florida Power and Light). Call FPL, they will tell you how to get it. I gave you a list of forty neighbors around the three houses in the South project, five were for, that includes those that have them, thirty-five were against. I gave you a photo of the metal roof, the same metal roof, the same that they are asking for now in March in Texas where they blew up. Once a metal roof fails, because it's all interconnected the whole thing goes. I hate to keep coming back to Commissioner Anderson, but she gives me lovely quotes. "I am probably in the minority," she said. That's true. I think the most optimistic minority would be three to one against metal roofs. I think you could probably make a case for eight to one. Somehow, in a democratic system, we usually say absent of safety, absent of some overriding act of God reason, the minority --- the majority rules, not the minority. If we think so strongly that this has got to... I know, I am tired of coming here. How many times have I come here, five, six, seven? If you feel so strongly about this, let's put it on the November ballot and see what the public says. What's a test program? A test for you to take those houses out because the neighbors don't like them in South Gables. And I really recent being North Gables, South Gables, maybe we should have our own City Hall down there. Test program is a misnomer, they ought to be there until they blow away or rust away. Thank you all for your time.

Mayor Slesnick: Thank you, and I apologize if I get this wrong but is Martha Kuylensterna. Okay, well you can correct me, and it's 7330 Mindello Street.

Ms. Martha Kuylensterna: Yes, hi. I reside in South Gables and I am just here to enter into the public record 84 signatures for the ordinance extending the metal roofs, and also four letters also entered into the public record. I am a resident of South Gables, and I have talked to my neighbors as well, and there isn't a single one that I have met that is against it. There are two homes being built, none of them have metal roofs right next to mine. On the other hand, I have got eight leaks that nobody can find with my barrel tile roof. Anyway, I think the City looks great because it's diverse, and that's why we live here. Not all houses look the same; they will never look the same. And again, I think this is an extremely important issue as the members of South Gables I would love to have it permanent, and I think the folks in North Gables should get the same chance that we do. Thank you.

Mayor Slesnick: Thank you. Paul Marcus, 476 Rovino.

Mr. Paul Marcus: Thank you. I was here the last time and said pretty much the same thing. Hurricane season is upon us. We need a new roof and we have been trying to do it, we want to put in the metal roof. It not just the integrity of our house, it's the integrity of the houses around us. When barrel tiles flies off and hits other houses, creates other damage. During Hurricane Andrew, I lived in Pinecrest, I had a brand new barrel tile roof that was cement, it was strong, and parts of the tile flew off and hit other neighbors went through windows, cracked their clay roofs, with the metal roofs it's not that situation. I would like to put in an even stronger one, I would like to put in an aluminum roof and I would hope that we would have a decision and enough time to get it in before hurricane season, because I have to have one put in before the

season and I can't get a tile roof put in that quick, but I can get a metal one put in that quick. Thank you.

Mayor Slesnick: Thank you.

Commissioner Anderson: Thank you.

Mayor Slesnick: Ray Airan, 1252 Obispo.

Mr. Ray Airan: Good Morning everybody. Like the speaker said, I did call the FPL, and the insurance company was Kim Walsh Insurance Company, they tell me that they would prefer to have metal roof instead of the tile roof because it is more beneficial and it is better, the safety. You have heard me before, so I will just request to save you time, please consider the pilot project for 90 days, that's the fair thing to do. Thank you.

Mayor Slesnick: Richard Namon of 5555 Oakwood Lane.

Mr. Richard Namon: Thank you for allowing me to speak. I really believe that diversity is important, as previously stated. I also believe that it's a difficult decision for you. I think that there are two issues involved, one is the right of an individual to do with their home as they would like; and then there are the people who live in the immediate area, and I think that in trying to control both sides, you actually become very restrictive in how you can apply the rules, and I wonder if you could just stop and think back even though we are so late in the process and see if it might be possible to work a more liberal set of rules for the citywide that required the neighbors and a majority to agree with the metal roofs that way you would not be intruding in neighborhoods, and I think that's a major concern – is that you have a neighborhood that has a particular look and the neighbors are all for keeping it that way, and one individual doesn't like – I do think that you do have neighborhood rights as well as individual rights. And I think it would be useful if you thought about working into the codes something that allowed this kind of diversity by local decision. Also, I tell everybody I live in Coral Gables, I don't live in South Gables, I don't live in North Gables, I have lived in few places and I don't like the distinction. Thank you.

Mayor Slesnick: Thank you. Miguel Cano? Andy Murai.

Mr. Andy Murai: Good Morning Mayor and Commissioners.

Mayor Slesnick: Good Morning.

Mr. Murai: Thank you. I have come here before regarding metal roofs, and the pilot program that you instituted in the South, instead of creating architectural diversity, as one Commissioner put it, it has created architectural adversity. Homes have been re-roofed without any architectural changes, and you simply cannot put in a metal roof on a house that has been built with a different criteria 30 or 40 years ago. Go to Solano Prado, take a look at 201 Solano Prado. Go to Davis and Old Cutler Road and take a look at that house. The homes that are very low, the only thing you can see right now is the roof. Again, as stated before that if you were going to

approve metal roofs, it should be on new homes where they have -- like high pines where the roof will make sense, with the architecture. To extend this to the North, it will create an adversity to whatever is left of the Gables of its original form. I think the houses in the North are too close, they are mostly Spanish style and the metal roofs will stick out like a sour thumb. I am asking you, I am not going to take too long on this matter. I am asking you to stop these programs, do not add the North to it, and continue on. It hasn't worked like Mr. Girtman said. What are you going to do, you are going to take their roofs off the pilot program? The damage is already done. I have a metal roof right in front of my house which is ironic, and the only thing you can see is the metal roof, you can't even see the house. The same thing with Davis (phonetic). So, please think carefully before you do anything at this time. Thank you very much.

Mayor Slesnick: Thank you. We close the public hearing for now. The floor is open to a motion.

Commissioner Anderson: Well, I think we probably should give like a Chinese menu that we have and just you know, I think we should just discuss it. I mean, let's... before we even bother to do a motion because I think there is such a variety of things going on. I mean, I don't have any problem with the pilot program in the North, I don't have any problems with metal roofs, and I think they do have their place with properly crafted language and with the Board of Architects that supervises it. However, I realize that there are other things, and maybe there are compromises that we can have here that allows for fairness in order to have the trial period. I don't know, but let's discuss. I think that would be more worthy than trying to make a motion that might fail.

Commissioner Cabrera: I will discuss it, I just want to know, and I am not trying to be ...

Mayor Slesnick: ... we will be discussing some things.

Commissioner Cabrera: Yeah, yeah.

Commissioner Anderson: Yeah.

Commissioner Cabrera: I just want to know... How long have you been going at this?

Commissioner Anderson: Way too long.

Commissioner Withers: Two years, three years.

Commissioner Cabrera: Two years?

City Manager Brown: At least.

Commissioner Cabrera: I am not trying to sound indifferent or certainly not sensitive to the speakers today and the other days, but any new testimony that was entered today that somehow moved any of you, on a position on this issue, because I am ready to vote on it.



Mayor Slesnick: I am ready to vote on it too. That's why I said we need a motion.

Commissioner Cabrera: Okay, so I... But I don't want, at the same time, I don't want to take away from Ms. Anderson's request because I think she's... She has a legitimate request to have dialogue on the issue, and I appreciate her leadership in bringing that up and so I don't mean to sound like I am not interested in having a dialogue.

Commissioner Anderson: I don't you know, I really don't take offense to anything. I don't even take offense to some misstatements that were made about me earlier on in the..

Commissioner Cabrera: But I, but I commend you for the fact...

Commissioner Anderson: No, not at all.

Commissioner Cabrera: ... that you started the dialogue by saying, hey, let's talk about this issue, so...

Commissioner Withers: I will tell you how I feel. In retrospect Maria, you were probably wise in thinking that it should have been a citywide pilot program in the beginning. You know, looking back now...

Commissioner Anderson: Uh-huh.

Commissioner Withers: I don't know how the rest of you feel, but hindsight is always 20/20. What I am struggling with is a personal point of view in my personal architectural taste in what's good for the residents, that's the biggest trouble I have. I have driven by these homes, I have taken my kids by these homes, I have taken my wife by these homes, and I would say that on fifty percent of the homes I don't have a problem with the way they look, the other fifty percent I am indifference to. It's not that it just turns me off, but it's just that...

Commissioner Anderson: Just for curiosity what about fifty percent of the orange tile barrel roofs? I am just having fun with you.

Commissioner Withers: Well no, no, listen, no I agree with you.

Commissioner Anderson: I am just having fun with you at this point.

Commissioner Withers: Well, I think that's...

Commissioner Anderson: Okay, let's put that on the record as well.

Commissioner Withers: That's deplorable; I mean not only that, but just some of the condition of some of the tile roofs.

Commissioner Anderson: Sure.

Commissioner Withers: But regardless...

Commissioner Anderson: Yeah, I got you.

Commissioner Withers: And so, you know, I say, well how am I going to resolve this? Well, I said I am going to have to be subjective because there is no way that I can be objective on this, in the sense that it is a personal approach in a personal perspective on how I look at it. So, I really feel that we should close down the South Gables as far as the program is right now. I think we should extend a trial period in the North Gables. I know you don't want to hear this Ralph, but I think we should come back to it in three months, and make a citywide decision. This is my personal opinion, but I can tell you to make these, to make the roofs look better in my mind, I think they need to have a greater pitch to them, and I think we need to expand the color pallet somewhat. I know we discussed shrinking the color pallet, but I think we need to... I think, some of the homes that I saw that are this white or this off-white, I think if they would have had a little more color to them, I think the roofs would have blended a little bit better with the homes. So, my position is that we expand it to the North for three months, we close it down in the South till we see the North, we come back and revisit it, but I can tell you that I would vote in favor of it citywide if in fact there was a lot more pitch to the roof than what it is now. Now, that might make the cost of the metal roof more cost prohibitive than the regular tile roof if people are looking at purely economics in making their decision.

Commissioner Cabrera: What originally compelled you to only vote for the South and not the North?

Commissioner Withers: The style of homes.

Commissioner Cabrera: Style?

Commissioner Withers: Yeah. But what I did Ralph, is I actually... I actually drove the North...

Commissioner Cabrera: Uh-huh.

Commissioner Withers: and you know there are some home there that just, again it's a personal perspective. They don't have the character that jumps out to me as far as an old Spanish home or a home of...

Commissioner Cabrera: You know I did the same thing and then I looked at the pictures that we all have and this is I think the third rendition of those pictures, and I saw homes in the South that could easily be somewhere in the North.

Commissioner Withers: Yeah.

Commissioner Cabrera: In fact, I saw two of them, so I was just curious what compelled you.

Commissioner Withers: Yeah, that's what did it originally...

Commissioner Cabrera: Okay.

Commissioner Withers: But again, the pitch on the roof is the big thing in my mind...

Commissioner Cabrera: Uh-huh.

Commissioner Withers: And as I stated a second ago, I don't know if we require a more of a pitch that that infrastructure improvement on the roof is going to make the metal roof more expensive and then people would go back with the flat tile... but the orange tile. I know Bill spoke about this, why is this something we need to... I know we are correcting it now, but that to me really... To me, some of that low profile orange barrel tile looks more out of place than what a metal roof would look.

Commissioner Cabrera: And, I agree, but it's almost like a condition that is out of control. Because I can tell you since we have taken a stronger stand with regard to barrel tile roofs on ranch style homes, we have gotten comments from residents that are angry because they can go out their door and walk down the street and point out half a dozen homes that are ranch style homes with barrel tile roofs.

Commissioner Withers: Correct.

Commissioner Cabrera: And, I would like to refer those as wearing a tuxedo with sneakers.

Commissioner Withers: So, Maria, that's how I feel.

Commissioner Anderson: I think that's a fair position.

Vice Mayor Kerdyk: You know, let me say one thing as far as the overall styles of roofs. I personally affirm metal roofs perspective, I have no problems whatsoever with a Key West style home being constructed and putting a metal roof on it, but I think we are taking about aesthetics and since you are bringing up the North areas, one of the issues that I have in the North area is, really the comments that were made to me by our City Architect, and I would like to ask you to come up here so I can ask you a couple of questions. Basically, you and I have had conversations before with regards to metal roofs throughout the City of Coral Gables and I know that you are supportive of metal roofs in the southern portion in the City of Coral Gables, but you are very strongly oppose to allowing metal roofs, and maybe I am putting words in your mouth, but strongly opposes how I would characterize your opinion of putting metal roofs to the North. Maybe you can expound upon that a little bit for me so that I can get a little bit more clarity for your thoughts, and follow-up with a few other questions.

City Architect Mindreau: Since the last time I spoke to you in this issue, in January, I have had several months to further review my thoughts on the issue, and indeed, I am still in favor of doing it to the South and not to the North. The only question in my mind is what is the line of

demarcation between the North and the South? We obviously, the no brainer solution was U.S.-1..

Vice Mayor Kerdyk: Right.

City Architect Mindreau: But perhaps it's more significant to look into the issue of maybe Bird Road becoming the line of demarcation. I am certain in my opinion, that nothing to the North of Coral Way should be included in a program that allows metal roofs. I feel that this area has a much greater density of the 1920s and 1930s homes than the City at large that might be considered to have... Commissioner Anderson mentioned something about 85 percent...

Commissioner Anderson: Eighty-seven percent of the homes were built after 1940.

City Architect Mindreau: But in the area to the North of Coral Way, I think... I don't know what the number might be, but I think the feel of that area, is that the district is contributing to the history of Coral Gables, if not necessarily every individual home within that region. And I think that to introduce an architectural vocabulary that eludes the impact of the district much like South Beach or Miami Beach...

Vice Mayor Kerdyk: Right.

City Architect Mindreau: Not all of the buildings on South Beach are art deco buildings.

Vice Mayor Kerdyk: You know, I have been sitting up here for a few years, and very seldomly have I seen staff taken such an ardent position on one thing or another, and my feel is, or maybe I should ask a question to you. Is the smallness of the lots also a criteria that maybe plays into the factor that you prohibit or do not want this extending to the North of Coral Way?

City Architect Mindreau: Yes, absolutely. The size of the lot is critical because a mistake made in one of these lots, is much more significant than a mistake that might be made on the areas to the South of U.S. 1 of which very likely we have some that were borderline decisions.

Vice Mayor Kerdyk: See, Chip, where I see the difference is, is maybe you are right. Maybe we should have gone to Coral Way or to Bird Road for the point of demarcation, but I have hesitancy when our staff is telling us in such a strong form that we should not proceed into the Northern Gables area. And I think also, didn't we get something from Arva at one point that... Arva...

Commissioner Anderson: Well, actually, we shouldn't argue Arva, one that one because she actually was against the Merrick House being opened. So, maybe we shouldn't use Arva.

Vice Mayor Kerdyk: Alright, whatever it is, whether we use Arva or not, but our staff is recommending... So, that's, that's you know...

Commissioner Withers: I understand.

Vice Mayor Kerdyk: ... the issue I have with extending all the way to Southwest 8<sup>th</sup> Street.

Commissioner Anderson: And the Board of Architects taking such a strong opinion twice and the Planning Board taking such a strong opinion twice, doesn't it compel you to think about a pilot program? I mean, in the end I have a flat tile white metal roof, I mean, what flat tile roof, I wish I had one.

Vice Mayor Kedyk: Right.

Commissioner Anderson: That's all I'll have, and that's all I'll have. I am just... I think...

Vice Mayor Kerdyk: Maria, let me answer that for you.

Commissioner Anderson: Yeah.

Vice Mayor Kerdyk: I think the last vote in the Planning Board was 4-3.

Commissioner Anderson: And actually, it has just become...

Vice Mayor Kerdyk: So, it wasn't a compelling argument one way or another.

Commissioner Anderson: They just didn't want... oh, okay. I am sorry.

Vice Mayor Kerdyk: Are you saying that he is not?

Commissioner Anderson: No, I am saying that he has the right to his opinion...

Vice Mayor Kerdyk: Alright.

Commissioner Anderson: and I value and I trust him... and that's why he can very candidly...

Vice Mayor Kerdyk: And I agree, that's why, but that's why I am thinking about a pilot program, but I can't get over going all the way to North extreme.

Commissioner Anderson: No, I understand that.

Mayor Slesnick: Let me go back. The question is, if we have a motion.

Commissioner Cabrera: Is there a motion on the table?

Mayor Slesnick: No, there is not. Without a motion, we will conclude the discussions.

Commissioner Anderson: Chip, why don't you make a motion?

Commissioner Withers: I'll move it; I mean to get the ball rolling.

Commissioner Anderson: Yeah, what the heck, we have done it before.

Commissioner Cabrera: What are you moving?

Commissioner Withers: I'll move, well, let me just for a point of order. Has it been sunsetted for the South Gables?

Commissioner Cabrera: Yes.

Commissioner Anderson: Yes, it has.

Commissioner Withers: So, we don't even have to address that, necessarily.

Commissioner Cabrera: We can address it.

Mayor Slesnick: We can continue, unless you want to...

Commissioner Withers: Unless we want to continue, and I mean, if I want to discontinue it we just... we... Okay. Then I will move that we extend a three-month trial period in the North Gables for metal roofs.

Vice Mayor Kerdyk: All the way to 8<sup>th</sup> Street?

Commissioner Withers: All the way to 8<sup>th</sup> Street.

Mayor Slesnick: Do we have a second?

Commissioner Cabrera: What about, can I point a reference or clarification? What about the section of the Gables, the northeast quadrant that goes beyond Southwest 8<sup>th</sup> Street? You don't want that area to be included as well.

Commissioner Withers: Yeah, basically all of the rest of Coral Way.

Commissioner Cabrera: So, it would be all, anything... and Coral Way. Right, sir?

Commissioner Withers: That's correct.

Mayor Slesnick: Anything North of U.S.-1.

Commissioner Cabrera: What's that?

Mayor Slesnick: Anything North of U.S.1.

Commissioner Cabrera: Yeah, anything North. (phonetic) I got stuck...

Commissioner Withers: In the areas that we have not voted for.

Commissioner Cabrera: ... on Coral Way because the architect was mentioning it. I apologize. Yes, U. S. 1.

Mayor Slesnick: Do we have a second.

Commissioner Cabrera: I stand corrected?

Commissioner Anderson: Yes, I do. I second it.

Mayor Slesnick: Okay, we have a motion to have a pilot program for metal roofs North of U.S.-1., to the northern limits of the City. Well, there will be no surprise that I won't support the motion...

Commissioner Withers: I know that. I know how you feel on this.

Commissioner Anderson: Yeah...

Commissioner Withers: But I also know feel that it would be the wrong thing to take, if in fact, we want to come back, if the majority wants to come back to consider such a proposal, I think we need to listen to the words of some of the speakers who are in support of it, in saying that there needs to be additional controls and additional perspectives added to the pilot program, if in fact the majority feels that we should do it, but I think the Historic Preservation Board needs to be involved as we have talked about before and even the suggestion of consideration of the neighbors thoughts and opinions on it, might want to be resolved. And so therefore, if we vote on the motion, I would only ask that the majority consider that we come back if it passes, and then add some...

Commissioner Withers: Well Don, listen, I don't know that I expected my motion to pass. I mean, if I thought...

Commissioner Anderson: ... my second that pass ...

Commissioner Cabrera: You know, then why waste everyone's time. So, why waste everyone's time today?

Commissioner Withers: Excuse me? I am sorry.

Commissioner Cabrera: I am not trying to be argumentative with you, but... then why waste everyone's time?

Commissioner Withers: Well, because Don asked for a motion.

Commissioner Anderson: Yeah, and we might as well...

Commissioner Withers: ... when the Chair asks for a motion, I will go ahead to give him a motion.

Commissioner Cabrera: You don't have to.

Commissioner Withers: No, no, no, I didn't have to...

Commissioner Anderson: Which is fine. He likes doing...

Commissioner Withers: I mean, I think he congenially, genuinely asked for a motion, I was respecting him asking, but you know...

Commissioner Cabrera: Okay.

Commissioner Withers: ... you know, I would have, if I thought I had any chance of this motion, and I thought I had even more support for the motion I would have added that the Board of Architect come back with additional colors and a higher pitch for the North Gables, but I knew that, that would probably not get passed Commissioner Anderson's scrutiny.

Commissioner Anderson: No, no that wouldn't bother me.

Commissioner Withers: So, I wasn't going to begin to tender that offer, but...

Mayor Slesnick: Chip, well why don't we do this, why don't we go ahead and vote on the motion.

Commissioner Anderson: Yeah, let's vote. Let's give it a shot.

Mayor Slesnick: Mr. Clerk.

Commissioner Anderson: Yes.

City Clerk Foeman: Commissioner Cabrera:

Commissioner Cabrera: No.

City Clerk Foeman: Vice Mayor Kerdyk.

Vice Mayor Kerdyk: No.

City Clerk Foeman: Commissioner Withers.

Commissioner Withers: Yes.

City Clerk Foeman: Mayor Slesnick.



Mayor Slesnick: No.

Commissioner Anderson: Done.

Mayor Slesnick: Are there any other motions at this time?

Commissioner Withers: Well, I'll move that we extend it to the North with a higher pitch and an expanded color pallet. Is that enough for the sustentative change to maybe changing everybody's paint or not (phonetic).

Commissioner Anderson: I don't think... I think you have my support, but I don't think you are going to have any other

Commissioner Withers: Yeah.

Commissioner Anderson: ... three other votes...

Commissioner Cabrera: That's for another 90-day period.

Commissioner Withers: Yeah, yeah.

Commissioner Cabrera: I am not committed to support that.

Commissioner Anderson: I don't think we should waste... breath.

Mayor Slesnick: Do we have a second? No seconds, so the motion fails. Is there any other motions at this time? Hearing no motions, we will move to the next item of business.

Commissioner Withers: So it dies a natural death.

Commissioner Anderson: Absolutely. And by the way Mr. Mayor and not on the metal roof issue, that is done but I would like to have a point of privilege, because there were statements made about my appearance before the Planning Board and on a legislative matter, I am allowed to speak; like any other Commissioner is allowed to speak; and I only went there to give additional information. So, it was not improper; and I would never do anything that would jeopardize the integrity of a process; and to say otherwise and to single out the City Attorney and myself just for that, and think it was just not correct. Thank you.

Mayor Slesnick: Thank you.