

1 shutters are in good order and properly
 2 maintained. So you have the
 3 pre-qualifications, right, not visible from the
 4 street, properly maintain and in good order,
 5 and a maximum of 30 days outside the hurricane
 6 period.
 7 MS. KAWALERSKI: Perfect.
 8 MR. COLLER: Okay. So that's basically the
 9 amended motion.
 10 CHAIRMAN AIZENSTAT: So we have a motion.
 11 MR. BEHAR: I'll second that.
 12 CHAIRMAN AIZENSTAT: We have a second by
 13 Robert. Any other discussion? No?
 14 Call the roll, please.
 15 THE SECRETARY: Javier Salman?
 16 MR. SALMAN: Yes.
 17 THE SECRETARY: Robert Behar?
 18 MR. BEHAR: Here. Yes.
 19 THE SECRETARY: Julio Grabiél?
 20 MR. GRABIEL: Yes.
 21 THE SECRETARY: Sue Kawalerski?
 22 MS. KAWALERSKI: Five.
 23 THE SECRETARY: Bibi Aizenstat?
 24 CHAIRMAN AIZENSTAT: Yes.
 25 The next item is E-5.

1 MR. COLLER: We asked if there were no
 2 objectors? Did we ask if there were any
 3 objectors? Of course, there's nobody in the
 4 room.
 5 CHAIRMAN AIZENSTAT: I went ahead and asked
 6 for public comments on all three platforms, and
 7 then I closed it.
 8 MR. COLLER: Okay. Very good.
 9 Item E-5, an Ordinance of the City
 10 Commission providing for text amendments to the
 11 City Coral Gables Official Zoning Code,
 12 amending Article 1, "General Provisions,"
 13 Section 1-104 "Jurisdiction and
 14 Applicability," amending provisions for the
 15 siting of the city facilities to include
 16 facilities for workforce housing that are
 17 owned, financed, or operated by the City, the
 18 County, or other public (governmental) entity
 19 as required by the Code of Miami-Dade County
 20 Section 33-193.7 "Applicability in the
 21 Incorporated and Unincorporated Areas; Minimum
 22 Standards; Exemptions," providing for repealer
 23 provision, severability clause, codification,
 24 and providing for an effective date.
 25 Item E-5, public hearing.

1 CHAIRMAN AIZENSTAT: Thank you.
 2 MS. GARCIA: Jennifer Garcia, Planning
 3 Official.
 4 So Miami-Dade County is requiring every
 5 municipality within its jurisdiction, within
 6 the Miami-Dade County area, to provide some
 7 kind of expedited review process for any
 8 workforce housing that is owned, financed or
 9 operated by the County, municipality or other
 10 public government entity. So, as a reaction to
 11 that, Staff prepared some amendments to be able
 12 to comply with that requirement at the State --
 13 I'm sorry, at the County level.
 14 So, if you go to Page 2, you can see that
 15 there's a new sentence imbedded into our
 16 already expedited review process
 17 (Unintelligible) is part of that process.
 18 CHAIRMAN AIZENSTAT: Okay.
 19 MS. GARCIA: Any questions?
 20 CHAIRMAN AIZENSTAT: Would you like to read
 21 it, for the record, so --
 22 MS. GARCIA: Oh, the addition? Yeah.
 23 Yeah.
 24 So Section 1-104, Subsection C-1, the
 25 addition is, "It is further provided that in

1 addition to the City facilities listed in this
 2 subsection, the procedures set forth herein
 3 shall also apply to application for workforce
 4 housing, as that term is defined in" Article --
 5 sorry, "In Miami-dade County, for qualifying
 6 residential developments that are owned,
 7 financed or operated by the County, City or
 8 other public" facilities -- sorry, "public
 9 entity."
 10 MR. COLLER: So I could give a little bit
 11 of background on this. The City created a
 12 government facilities hearing, similar to what
 13 the County has, for its government facilities,
 14 and provided for an expedited process. The
 15 County has dictated to all of the
 16 municipalities that they need to have an
 17 expedited process in their Code.
 18 You've heard of State mandates, like
 19 housing that's occurred, well, this is a County
 20 mandate. So this is the City complying with
 21 the County's mandate to municipalities to
 22 provide this expedited process for this
 23 relatively narrow area.
 24 MS. KAWALERSKI: Is this at all tied to SB
 25 102?

1 MR. COLLER: No. It is separate and apart
2 from that.

3 MS. KAWALERSKI: Well, I mean, it's kind of
4 like the same process, except this goes
5 directly to the Commission. SB 102 goes
6 directly to the City Manager.

7 MR. COLLER: Right. Well, this requires a
8 public hearing, whereas I believe that the --
9 well, I don't know what's going on in the
10 Legislature this year. Who knows -- but
11 whereas the other one is supposed to be through
12 an administrative process. But this is still a
13 public hearing process.

14 MS. KAWALERSKI: So that's the only
15 difference, really.

16 So, in the City of Coral Gables, the
17 Biltmore would apply, right? It's a City owned
18 facility. The Youth Center would apply.

19 MS. GARCIA: No, but it has to be workforce
20 housing.

21 MS. KAWALERSKI: I'm saying --

22 MR. BEHAR: If they were to do workforce
23 housing.

24 MS. KAWALERSKI: -- if a developer came
25 along and said, City of Coral Gables, I'm going

1 MS. KAWALERSKI: Right.

2 MR. COLLER: So a private developer that
3 goes and buys the Biltmore to have workforce
4 housing --

5 MS. KAWALERSKI: I'm not saying buying.
6 I'm saying, leasing. I'm saying, a developer
7 could say, we want to lease the Biltmore,
8 right, for a billion dollars, and --

9 MR. COLLER: I don't think that would be
10 viewed as owned, financed or operated by the
11 City, the County or other public government.
12 I'm not sure it would meet that requirement,
13 because it's essentially a private company
14 that's operating it.

15 MS. KAWALERSKI: Well, that's operating it,
16 not owning it. The City would still own it.

17 MR. BEHAR: But the City is not asking for
18 financing.

19 MS. KAWALERSKI: It doesn't have to, if the
20 City owns it. Does the City own the Biltmore?

21 MS. GARCIA: Yes.

22 CHAIRMAN AIZENSTAT: Yes.

23 MS. KAWALERSKI: Okay. Then the Biltmore
24 applies.

25 MR. COLLER: I presume that if the City

1 to pay you 150 million -- billion dollars for
2 the right to take over the Biltmore and make it
3 workforce housing, okay, so that the five
4 Commissioners, the elected officials, could
5 say, sure, right, without us hearing that.

6 Okay. They could take over the Biltmore,
7 if somebody waves money in their faces. They
8 could take over the Youth Center. They could
9 take over any of the public facilities.

10 MS. GARCIA: I don't think it --

11 CHAIRMAN AIZENSTAT: I don't see that.

12 MS. GARCIA: It has to be the correct
13 Zoning. This isn't trumping Zoning or Land
14 Use.

15 MR. BEHAR: It is not zoned for that.
16 There's a lot of different --

17 MS. KAWALERSKI: But this says it bypasses
18 all zoning and -- this is what it says.

19 MS. GARCIA: Procedures, but not -- like
20 for the review process, so not to go through
21 Planning and Zoning, through two Readings with
22 the Commission.

23 MS. KAWALERSKI: Okay. So --

24 MR. COLLER: No, but it also would have to
25 be owned, operated or financed by the City.

1 wanted to operate workforce housing in the
2 Biltmore, they might consider it a government
3 facility, and, yes, they could go through that
4 process.

5 MS. KAWALERSKI: But the City doesn't even
6 have to agree to operate it. The City could
7 abdicate operation to a developer.

8 MR. COLLER: I mean, they could hire maybe
9 an operator to do it. It would be --

10 MS. KAWALERSKI: Pardon me?

11 MR. COLLER: It would be the City's
12 facility, but I suppose they might be able to
13 hire a private company to operate the workforce
14 housing on their behalf. That would be true.

15 MS. KAWALERSKI: So I'm reading this, and
16 I'm going, oh, my gosh. I mean, maybe not
17 today, but what about in five or ten years, and
18 what if the City is broke in ten years and a
19 billion dollars comes waving in our faces from
20 a developer who says, I want to lease that
21 property, the Biltmore. I'm going to build --
22 I'm going to build on that property, in
23 addition to what's already there, for workforce
24 housing.

25 This doesn't prevent any of that from

1 happening. It fact, it almost kind of like
2 opens the door for that to happen.

3 MS. GARCIA: They have to comply with the
4 underlining Zoning and Land Use. The
5 underlining Zoning would control that you can't
6 have residential units on that Zoning. It's
7 Zoned Special Use, per your example.

8 MS. KAWALERSKI: Okay. Well --

9 MS. GARCIA: They would have to change the
10 Zoning. It goes through a hearing process.

11 MR. BEHAR: They would have to come in for
12 a change of Zoning and --

13 MS. KAWALERSKI: I mean, the change in Land
14 Use and Comp Plan could happen before this
15 Board and we could say no or if we're not here,
16 somebody else is here, and they say, sure, yes,
17 and all of a sudden the Biltmore becomes
18 workforce housing.

19 CHAIRMAN AIZENSTAT: But wouldn't that
20 happen -- okay, if somebody wanted to do that,
21 hypothetical -- I'm taking your hypethetical
22 example. Somebody wanted to do that. Couldn't
23 they come now and do it without any of this
24 going through or not going through?

25 MS. KAWALERSKI: I don't know.

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1 requirements. It might not be what you would
2 recommend. It's not that the City is the one
3 that's originating this. This is originating
4 by the County. It's exercising its home rule
5 authority and providing that all of the cities
6 provide this workforce housing basically
7 expedited review. It still has to go to a
8 public hearing, though.

9 MS. KAWALERSKI: Let me ask you something,
10 why doesn't the City of Coral Gables reject
11 this? What do you lose?

12 MR. COLLIER: Well, I don't know what the
13 ramifications would be, if we don't comply with
14 the County's requirements.

15 MR. BEHAR: I'm sure there are some
16 penalties or something that would be -- affect
17 the City of Coral Gables. I mean, I can see
18 maybe that -- you know, saying, yes, provided
19 that all underlying Zoning are consistent,
20 that, you know, the process -- I mean, it says
21 no -- I don't see it, in this case, where it
22 will be -- I don't see what you're saying being
23 valid here, because there are so many checks
24 and balances to do this by the City, that, you
25 know --

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1 MR. COLLIER: Actually, that's true. If
2 it's going to be a government facility, and
3 it's an exception to Zoning, but it still has
4 to comply with the Comprehensive Plan. So I
5 don't know what the Comprehensive Plan is for
6 the Biltmore. I don't know if workforce
7 housing would be consistent with the
8 Comprehensive Plan for the Biltmore, but it
9 would have to comply with the Comprehensive
10 Plan. But, yes, you're right, if it were
11 consistent with the Comprehensive Plan, I
12 suppose the City could do it. Of course,
13 there's all kinds of contractual --
14 practically, it couldn't be done.

15 MS. KAWALERSKI: I mean, it's a
16 hypothetical, but look what's happening these
17 days with everything else happening in this
18 country and the world. This could happen. And
19 we're going to say, yeah, sure, okay, no
20 problem.

21 MR. BEHAR: Yeah, but, Sue, that's a very
22 hypothetical. I mean, anything is possible,
23 yeah. I mean, I make -- you know --

24 MR. COLLIER: I think the City is trying to
25 come into compliance with the County's

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1 MR. COLLIER: I think there's a difference,
2 though, between what the State is doing for
3 workforce housing. Basically, they're saying,
4 you've got to do it. They're not even giving
5 me the -- governing body, some discretion on
6 whether something should happen or not happen.

7 This is just providing a process. It's
8 still, ultimately, the authority of the City
9 Commission in whether they're going to approve
10 this or not. So that's really a big
11 difference. Ultimately, it's the governing
12 body that's going to make a decision whether
13 they're going to approve this government
14 facility or not. So that's really the
15 difference.

16 Whereas, in the case of the State, some
17 private individual wants to build a 14-story
18 building next to a single-family homes, if it's
19 within a mile of the -- the height is within a
20 mile, that's very different from what this is,
21 and, indeed, the criteria in here, I believe,
22 as I recall, is they look to compatibility. So
23 is this government facility going to be
24 compatible. So I think it's a completely
25 different --

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1 MS. KAWALERSKI: And I'm not saying they're
2 exactly the same. I'm just saying that the
3 municipalities are being usurp by higher levels
4 of government. We are being told what to do.
5 And we are losing our identity and our
6 authority and our ability to say no.

7 MR. COLLER: I couldn't agree with you
8 more. And that's what's happening at the State
9 Legislature, as well. They are usurping the
10 local authorities decision-making process. I
11 couldn't agree with you more. However, at
12 least in this case, the ultimate buck stops at
13 the City Commission.

14 MS. KAWALERSKI: I know, and that worries
15 me. It does, because, I mean, one day, we're
16 going to have a City Commission that all agrees
17 with one special interest and then we're done.
18 Then the Youth Center will be turned into --

19 CHAIRMAN AIZENSTAT: But, Sue, let me ask
20 you, but can't the City Commission -- even if
21 the City Commission today votes one way, can't
22 the future City Commission overturn whatever is
23 written there? I'll give you an example,
24 covenants to run with the land. I have always
25 seen the City -- I've always seen the City of

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1 snake.

2 MR. SALMAN: And the nose of the camel.

3 MS. KAWALERSKI: And the nose of the camel.
4 I'm just saying --

5 CHAIRMAN AIZENSTAT: I don't see it that
6 way.

7 MS. KAWALERSKI: -- I do not like -- and I
8 think we need to take this seriously. I don't
9 like the fact that we are being told what to do
10 and our hands will forever be tied. I think,
11 if we can somehow amend this, to soften this,
12 to eliminate some of the -- whatever, but as a
13 whole, as this sits right now, this is very
14 dangerous.

15 MR. BEHAR: I don't see it so dangerous, in
16 my opinion, and I'm not sure that we could tell
17 the County we're not going to accept it. I
18 don't know if really we have -- I mean, not us,
19 the City Commission, at the end, is going to
20 approve this or not, because we could recommend
21 something to them, and they're going -- I don't
22 know if they have, for lack of a better word,
23 the authority to say, sorry, County, we're not
24 going to accept this.

25 MS. KAWALERSKI: But look at SB 102. They

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1 Coral Gables not allow lot splits, when certain
2 factors are in place, such as a wall running
3 through the house or running through the land,
4 whatever it is, but I have also seen where the
5 City undoes the covenant to run with the land,
6 which is in the property, to allow the property
7 to be separate.

8 So why wouldn't they be -- why wouldn't the
9 Commission be able to undo or change a Code?

10 MS. KAWALERSKI: Well, here's why. Okay.
11 So I'm a developer. I make a deal with the
12 five Commissioners to turn the Youth Center
13 into whatever its designated, under the current
14 Zoning Code, or maybe they come before us and
15 it changes.

16 So, all of a sudden, they make a lot of
17 rooms at the Youth Center specifically for
18 workforce housing. And then a new Commission
19 comes in and says, "We don't like that. You
20 have to undo all of those rooms at the Youth
21 Center." Then, wouldn't a law come about,
22 saying, well, you can't undo that thing,
23 because those people already invested the money
24 in building rooms into the Youth Center?

25 I'm telling you, this is the head of the

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1 passed this law. There were enough
2 municipalities that said, uh-uh, and now they
3 changed parts of it.

4 MR. BEHAR: Don't --

5 MS. KAWALERSKI: No. I know they didn't
6 change a lot, but they started to chip away at
7 it, and according to our State Senator, she
8 said she's going to continue the process of
9 chipping away at it. She's the one that
10 introduced it. She should never have
11 introduced it, in my opinion, and now she's
12 hearing enough from municipalities, where she's
13 going to start changing it and watering it
14 down. So I'm just saying, can we say, forget
15 it, County, we're not going to -- no, we
16 probably can't do that, but we can certainly
17 make recommendations saying, you have to carve
18 us out in these circumstances.

19 Look, if we say yes, we say yes and we can
20 never go back. If this Board says, let's make
21 some carve outs to this, let's be smart about
22 this for the future, let's make some carve outs
23 in this -- and I don't think we should make
24 them right now. I think we should really study
25 this and find out how we can soften this.

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1 MR. BEHAR: Let me ask --
 2 MR. COLLER: Well, I have a thought,
 3 actually. So to be a little creative --
 4 MR. BEHAR: Wait. What is the consensus of
 5 the City Commission in this? Have they seen
 6 it?
 7 MS. KAWALERSKI: I don't think it's been on
 8 their agenda.
 9 MS. GARCIA: No. It passed for First
 10 Reading in January.
 11 MS. KAWALERSKI: Oh, it did?
 12 MS. GARCIA: Uh-huh.
 13 MS. KAWALERSKI: How did it pass,
 14 unanimous?
 15 MS. GARCIA: Unanimous. Uh-huh.
 16 MS. KAWALERSKI: You know what, then maybe
 17 they didn't take the time to read this,
 18 because -- just read it.
 19 MR. COLLER: Well, one thought I have is,
 20 when treating it as a government facility, it's
 21 an exception to the Zoning, but you have to
 22 comply with the Comprehensive Plan. You can't
 23 except from the Comprehensive Plan. So we
 24 could say -- require, that notwithstanding,
 25 that workforce housing has to meet both, Zoning

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1 and the Comprehensive Plan, as an exception.
 2 So that would mean that we're going to treat
 3 the workforce housing as -- from other
 4 facilities, by either the County -- we're still
 5 providing the expedited process, but if it's a
 6 County facility or other public entity, they
 7 have to comply with both, Zoning and the
 8 Comprehensive Plan.
 9 So that weakens it a little bit.
 10 MR. BEHAR: No, it weakens it a lot. I
 11 mean, then, at that point, there's limited
 12 properties owned by the City. I mean, one that
 13 comes to mind is the fire station on US-1, that
 14 probably meets the Comprehensive Plan, even
 15 though it's a City owned facility, but it rules
 16 out the Biltmore, rules out the Youth Center.
 17 I don't know how many other -- I mean, the
 18 police station --
 19 MR. COLLER: But my suggestion is, with
 20 regard to other facilities, other than the
 21 City's owned facilities, that they have to
 22 comply with the Zoning Code and the
 23 Comprehensive Plan. Everybody's got to comply
 24 with the Comprehensive Plan. There's an
 25 exception for Zoning, but one way to weaken

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1 this is to require that other facilities -- not
 2 Coral Gables facilities, but other facilities,
 3 have to meet the Zoning Code.

4 MR. BEHAR: But what other facilities,
 5 because if it's not City owned --

6 MR. COLLER: Well, let's say the County
 7 finds a vacant piece of property in Coral
 8 Gables, and they want to build workforce
 9 housing. Let's say the Zoning for that area is
 10 single-family residential. So the County
 11 couldn't do that, because we're requiring that
 12 you can't build workforce housing in
 13 single-family residential. I guess, you could
 14 have single-family workforce housing, couldn't
 15 you? That's true.

16 MS. KAWALERSKI: I mean, you've got a
 17 courthouse. The County owns the courthouse.
 18 That's a prime example. It's not us. It's
 19 them. They can build whatever they want there,
 20 right?

21 MR. BEHAR: No. That's privately owned.
 22 It's not public. It's leased to --

23 MS. KAWALERSKI: Oh, it's leased?

24 MR. BEHAR: Yes. It's privately owned.

25 MS. KAWALERSKI: I thought it was County

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1 owned.

2 CHAIRMAN AIZENSTAT: How does it work with
 3 the School District?

4 MR. COLLER: Well, it would be considered a
 5 public -- how does the School District work?

6 CHAIRMAN AIZENSTAT: Yeah. In other words,
 7 between cities and --

8 MR. COLLER: There's some -- there's some
 9 lack of clarity on whose authority controls on
 10 the school.

11 MR. SALMAN: The School Board controls
 12 their own properties, period, end of story.

13 MR. GRABIEL: I mean, it's happening --

14 MR. SALMAN: Unless they transfer the
 15 property to the County, to make this property
 16 then viable for development by the County, as a
 17 government agency, it would have to be the
 18 School Board submitting for workforce housing.

19 MR. COLLER: Well, I think we've had issues
 20 with schools in Coral Gables and requirements
 21 that we asked them to meet. So --

22 MR. SALMAN: I've done a lot of schools. I
 23 can tell you, the school --

24 (Simultaneous speaking.)

25 MR. SALMAN: Not the County. It's the

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1 school.

2 MR. BEHAR: And they come -- even to the
3 Board of Architects, they come as a courtesy.
4 They don't even have to.

5 MR. SALMAN: They don't have to. They're
6 completely autonomous. They have their own
7 building department. They can do whatever they
8 want on any property.

9 MS. KAWALERSKI: We should be like that.

10 Jennifer, I've got a question for you. Is
11 there any other municipality, of the 34
12 municipalities, that is balking at this or also
13 making carve outs in their --

14 MS. GARCIA: Not to my knowledge, because I
15 think this was adopted a couple of years ago.

16 MR. COLLIER: Yeah. We're a little late.

17 MS. GARCIA: Yeah.

18 MS. KAWALERSKI: Okay. So no other
19 municipality has --

20 MS. GARCIA: Not to our knowledge.

21 MS. KAWALERSKI: -- changed this? We're
22 sure?

23 MS. GARCIA: Not to my knowledge. There
24 may be some that we're not familiar with.

25 MR. SALMAN: I have a question, through the

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1 private -- in the public-private venture to
2 develop a project.

3 MR. BEHAR: But isn't that a private
4 developer?

5 MR. SALMAN: Would those projects, then, be
6 entitled to an expedited review?

7 MS. GARCIA: I mean, we can verify what the
8 County says exactly, but I don't remember ever
9 there being any kind of percentage.

10 MR. BEHAR: But Javier, in your case, isn't
11 that a private developer, who's doing those
12 developments?

13 MR. SALMAN: Yeah, but it's government
14 financing, and financing is one of the triggers
15 for it. That's how I understand it. It's not
16 just government agencies. It could be
17 government financing.

18 MS. KAWALERSKI: You know what, I have to
19 tell you, there's so much in here that we don't
20 know about. I feel very uncomfortable moving
21 forward with any kind of vote on this. We
22 don't know enough about this. I mean, it seems
23 like, well, everybody else is doing it, why
24 don't we just do it, but I'm telling you, we
25 have a lot of valuable property here. We have

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1 Chair, to Jill (sic).

2 When it says, financing, is there a
3 percentage of financing that triggers this or
4 does it have to be 100 percent financing?

5 MS. GARCIA: It doesn't specify.

6 MR. SALMAN: That's an interesting issue.
7 It's a very interesting issue, because I've
8 done low income housing and elderly low income
9 housing, where the financing is through a
10 government agency, and they would qualify that
11 for an expedited review, but it would still
12 have to meet Zoning and Comprehensive Land Use.
13 That's still on the table. That's never going
14 to go away, right?

15 MS. GARCIA: Right.

16 MR. SALMAN: So it's interesting, because
17 you could have a private developer, who has a
18 portion of government financing as part of the
19 package, because a lot of times, bigger
20 developers, they have a package of financing
21 from private investors, some from banks, and
22 there may be a governmental portion, if there
23 is workforce housing included.

24 And you see that up north a lot, where you
25 have multiple agencies working together with

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1 to protect our City. And I just don't feel
2 that --

3 CHAIRMAN AIZENSTAT: Well, actually, before
4 we proceed, let me ask Jill, Jill, do we have
5 anybody in Chambers that wishes to speak on
6 this?

7 THE SECRETARY: No.

8 CHAIRMAN AIZENSTAT: Anybody on Zoom?

9 THE SECRETARY: No.

10 CHAIRMAN AIZENSTAT: Anybody in the phone
11 platform?

12 THE SECRETARY: No.

13 CHAIRMAN AIZENSTAT: Okay. So let me just
14 close it for public comment and then let's
15 proceed.

16 MR. SALMAN: Okay.

17 MS. KAWALERSKI: Okay. But I just feel
18 uncomfortable in even moving forward in any
19 part of this, and I'm not an expert on -- you
20 know, like some of you up here, on the ins and
21 outs, but all I can tell you, from just a
22 common person's reading of this, this doesn't
23 sound good. I mean, there's so many loopholes
24 and so many things we don't know about, and I
25 just don't want to give away the baby, you

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1 know.
 2 CHAIRMAN AIZENSTAT: Julio.
 3 MR. GRABIEL: I think that us, as a
 4 society, are all moving towards making it easy
 5 to get workforce housing in our communities,
 6 and I think we stay behind the times if we
 7 don't do it. The County is pushing us to do
 8 it. I understand all of the wherewithal, but
 9 if we worry about what can happen, we'll never
 10 get anything done, and I would like to move to
 11 approve this as it is.
 12 CHAIRMAN AIZENSTAT: As it is or with the
 13 recommendations for Zoning and so forth that
 14 Craig went ahead and --
 15 MR. COLLER: Well, it wasn't my
 16 recommendation, but one of the members was
 17 saying, is there anything we can do to soften
 18 it. The way this is worded, government
 19 facilities, in Coral Gables, it's specifically
 20 drafted that it's an exception to Zoning. It
 21 is not exception to the Comprehensive Plan.
 22 This addition could be clarified to say, with
 23 respect to workforce housing, requires
 24 compliance. Still goes through the expedited
 25 process, but it's required to meet, both,

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1 Zoning and the Comprehensive Plan.
 2 That was my suggesting, if you want to
 3 soften it.
 4 MR. GRABIEL: I will amend it.
 5 MR. BEHAR: In an effort to, you know, try
 6 to follow some of those concerns, I would feel
 7 more comfortable -- I would support this, with
 8 those provisions.
 9 CHAIRMAN AIZENSTAT: So, Robert, would you
 10 second Julio's --
 11 MR. BEHAR: With the amendment, I will
 12 second it.
 13 CHAIRMAN AIZENSTAT: So we have a motion,
 14 with the amendment, and a second. Any
 15 discussion? No?
 16 Call the roll, please.
 17 THE SECRETARY: Javier Salman?
 18 MR. SALMAN: No.
 19 THE SECRETARY: Sue Kawalerski?
 20 MS. KAWALERSKI: No.
 21 THE SECRETARY: Julio Grabiell?
 22 MR. GRABIEL: Yes.
 23 THE SECRETARY: Robert Behar?
 24 MR. BEHAR: Yes.
 25 THE SECRETARY: Eibi Aizenstat?

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1 CHAIRMAN AIZENSTAT: Yes.
 2 MR. COLLER: Okay. It goes forward, then,
 3 without a recommendation.
 4 CHAIRMAN AIZENSTAT: Correct.
 5 MR. SALMAN: Through the Chair, before we
 6 adjourn, I have a quick question for our
 7 esteemed Planning Director.
 8 MS. GARCIA: Uh-huh.
 9 MR. SALMAN: When notices go out for items
 10 that come before this Board, specifically
 11 projects and whatnot, when do they go out,
 12 timing wise, with regards to the actual
 13 meeting? Isn't it two weeks before?
 14 MS. GARCIA: 13 days.
 15 MR. SALMAN: 13 days. Close to two weeks.
 16 MS. GARCIA: Uh-huh. Yeah.
 17 MR. SALMAN: Okay. Is there any way or any
 18 reason why we, as Members of the Board, don't
 19 get notification?
 20 MS. GARCIA: I guess, because the Zoning
 21 Code doesn't require it, unless you're within a
 22 thousand feet.
 23 MR. SALMAN: Okay. There's no Staff
 24 objection to us being notified, right?
 25 MS. GARCIA: No.

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1 MR. SALMAN: Because this is a small town,
 2 it's a very small town, and we could
 3 accidentally -- and I actually averted a
 4 situation like that, with regard to today's
 5 issue, where somebody came up to me and started
 6 talking to me about it, and I go, "Wait a
 7 minute. Is this coming before this Board?"
 8 And he goes, no, it's -- wait, stop right
 9 there, I can't -- he says, well, we're only
 10 talking about what's in the public record. I
 11 said, "Fine, that's it. Don't say anything
 12 more. I don't want to hear your opinion," and
 13 we stopped it right there. But that way we
 14 could be a little bit better attuned and
 15 preserve our independence and our objectivity.
 16 I would think that it would be a good thing to
 17 do.
 18 MS. GARCIA: To be included, both, on any
 19 notification for the Planning and Zoning Board
 20 and Neighborhood Meetings, because they use the
 21 same --
 22 MR. SALMAN: Yeah. If it's an item that's
 23 going to come here, there's going to be a
 24 Zoning change, that you not only have to put
 25 out a mailer for 1,500 people, make it 1,507,

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1 just so we know that this is coming.
 2 MR. COLLER: My only word of caution is,
 3 you're doing it for a very good reason. You
 4 want to avoid an ex parte communication.
 5 MR. SALMAN: Exactly, inadvertently.
 6 MR. COLLER: So, obviously, when you see
 7 the listing of the public meetings that are
 8 done by the developer, you don't want to go to
 9 those meetings, but you want to be advised of
 10 where the location is, so if somebody comes up
 11 to you and says -- you could say, "Wait a
 12 minute, I really can't talk to you about that."
 13 MR. BEHAR: You get it -- we get it the
 14 Friday before.
 15 MR. SALMAN: Exactly. If we get it 13 days
 16 before, we could possibly avoid the situation.
 17 I've actually caught it more than once. But in
 18 that case, I've known about something coming
 19 up, just because I do. In this particular, I
 20 didn't. I didn't know it was coming up. I was
 21 more focused on the project that came in
 22 before, and so I avoided those issues, but this
 23 one caught me by surprise, and I was able to
 24 stop it, because it's actually happened to me
 25 before, a couple of times, when I was first on

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1 after the Neighborhood Meeting. So it's
 2 certainly when it's going to be coming here.
 3 MS. GARCIA: For Planning and Zoning only?
 4 MR. SALMAN: Exactly. Neighborhood
 5 Meetings, I think it would be more of a problem
 6 for us, if we're notified of them.
 7 MS. GARCIA: No. My only concern is that
 8 they may talk to you -- a resident may talk to
 9 you earlier on, before it even goes to Planning
 10 and Zoning, and you would not be aware that,
 11 eventually, in the next few months --
 12 MR. SALMAN: Well, I've caught a couple of
 13 those, too.
 14 MR. BEHAR: That's outside of the cone of
 15 silence anyways.
 16 MR. SALMAN: No, but it's -- the cone of
 17 silence is crouched upon advertising, isn't it?
 18 When does the cone of silence drop in Coral
 19 Gables?
 20 MS. GARCIA: When does it what?
 21 MR. SALMAN: When does the cone of silence
 22 drop?
 23 CHAIRMAN AIZENSTAT: Mr. Coller.
 24 MR. COLLER: I think it's when Maxwell
 25 Smart meets with -- that's really --

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1 this Board eight years ago.
 2 So I think it would be a good idea that
 3 Staff consider that, and I would like to make
 4 that recommendation, as a Board, to Staff, to
 5 do so.
 6 CHAIRMAN AIZENSTAT: Anybody have any
 7 objections?
 8 MR. BEHAR: I don't have a problem with
 9 that. We will not get the packages --
 10 MR. SALMAN: No, not the package. Just the
 11 same little notification -- we don't want the
 12 agenda, just the notice that this is coming,
 13 that tells you, you know, what the address is
 14 and where it is.
 15 MS. GARCIA: But for both, the notice for
 16 the Neighborhood Meeting and for Planning and
 17 Zoning notice?
 18 MR. SALMAN: Yeah.
 19 CHAIRMAN AIZENSTAT: Do you need to have
 20 the Neighborhood Meeting notice?
 21 MR. SALMAN: No, I don't think I need the
 22 Neighborhood Meeting.
 23 MS. GARCIA: That does happen first, so
 24 they may approach you --
 25 MR. SALMAN: It could die in the process --

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1 MR. SALMAN: Well, okay, but there's like
 2 an actual --
 3 MR. BEHAR: I'll make a motion to adjourn.
 4 MR. SALMAN: No, wait a minute.
 5 CHAIRMAN AIZENSTAT: Before we finish that,
 6 so we have a recommendation that Mr. Javier has
 7 brought forth, and I think there's consensus
 8 among the Board to proceed that way.
 9 MR. BEHAR: Yes.
 10 CHAIRMAN AIZENSTAT: So are you good with
 11 that?
 12 MR. SALMAN: I'm good. So can we make it
 13 an official vote and saying that we'd like
 14 to --
 15 CHAIRMAN AIZENSTAT: Well, I don't know if
 16 we would do an official vote. It's not an
 17 agenda item.
 18 MR. COLLER: You can do it as a motion if
 19 you feel you need to. You've given direction
 20 to Staff. I assume Staff will comply.
 21 CHAIRMAN AIZENSTAT: Can we do it verbal?
 22 Is everybody in agreement, yes or no, or
 23 anybody objects?
 24 MR. COLLER: I think you can do it
 25 informally or you could do a motion.

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1 MR. SALMAN: We can do it informally.
 2 That's fine. We can deal with it.
 3 MS. GARCIA: Okay.
 4 CHAIRMAN AIZENSTAT: Is everybody in favor
 5 of the recommendation?
 6 MR. BEHAR: Yes.
 7 CHAIRMAN AIZENSTAT: Yes.
 8 MR. SALMAN: Yes.
 9 MR. GRABIEL: Yes.
 10 CHAIRMAN AIZENSTAT: Anybody against?
 11 MR. BEHAR: I only heard four yeses. I did
 12 not hear a yes from that end.
 13 CHAIRMAN AIZENSTAT: Sue?
 14 MS. KAWALERSKI: I nodded very --
 15 MR. SALMAN: She nodded loudly.
 16 MS. KAWALERSKI: Loudly.
 17 MR. GRABIEL: It was a loud nod.
 18 CHAIRMAN AIZENSTAT: So, just for the
 19 record, the entire Board is in agreement with
 20 that recommendation.
 21 MR. BEHAR: There's five Members of the
 22 Board tonight, not the entire Board. We're
 23 missing two.
 24 CHAIRMAN AIZENSTAT: Present. The entire
 25 Board present.

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1 All right. We have a motion to adjourn, by
 2 Mr. Behar.
 3 MR. GRABIEL: Second.
 4 CHAIRMAN AIZENSTAT: We have a second. All
 5 in favor say aye.
 6 (All Board Members voted aye.)
 7 (Thereupon, the meeting was concluded at
 8 7:05 p.m.)
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C E R T I F I C A T E

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 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:

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 7
 8
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.

DATED this 23rd day of February, 2024.



-----NIEVES SANCHEZ-----

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