

City of Coral Gables City Commission Meeting
Agenda Item E-1
December 9, 2025
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 Richard D. Lara

City Staff

City Attorney, Cristina Suárez
City Manager, Peter Iglesias
City Clerk, Billy Urquia
Historic Preservation Officer, Anna Pernas

Public Speaker(s)

Cesar Mestre, Representing Applicant
Javier Avila, Applicant

Agenda Item E-1 [Start: 1:23 p.m.]

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on September 18, 2025, to deny a claim of undue economic hardship and a certificate of appropriateness for demolition for the property located at 1258 Obispo Avenue, a contributing resource in the "Obispo Avenue Historic District," legally described as Lots 1 and 2, Block 3, Coral Gables Section "E," according to the Plat thereof, as recorded in Plat Book 8, at Page 13 of the Public Records of Miami-Dade County, Florida. Lobbyist: Cesar Mestre

Mayor Lago: We have a time certain item at 1 p.m. Agenda item E-1. I apologize for being 20 minutes late. But thank you for allowing us the flexibility to just have a quick bite. Madam City Attorney.

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City Attorney Suarez: Mayor, this is a continuation of the item that was first heard at the October 28th meeting. I'll just read the title again. But it's the Commission decided to continue it for further deliberation. So it's an appeal to the Coral Gable City Commission from the decision of the Historic Preservation Board on September 18, 2025 to deny a claim of undue economic hardship and a certificate of appropriateness for demolition for the property located at 1258 Obispo Avenue, a contributing resource in the Obispo Avenue Historic District, legally described as Lots 1 and 2, Block 3, Coral Gables Section E, according to the Plat of, as recorded in Plat Book 8, at page 13 of the public records of Miami-Dade County, Florida.

Mayor Lago: Sir, welcome back.

Mr. Mestre: Thank you very much. Cesar Mestre, offices at 8105 Northwest 155th Street, Miami Lakes, Florida, representing the applicant. I'm here because I'm the attorney of record.

City Attorney Suarez: Sorry, Mayor. As a reminder, we need to have everyone who will be testifying today to be sworn in by the Clerk, since this is quasi-judicial.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: Those who will be appearing on this item, please stand and raise your right hand. Do you swear or affirm the testimony you'll provide today will be the truth and nothing but the truth?

Mr. Mestre: I do.

City Clerk Urquia: Thank you.

Mr. Mestre: As I was saying, I am the attorney of record, and I have a responsibility to be here, but the entire presentation will be done by the applicant himself.

Mr. Javier Avila: So, I just want to let you guys know who, again, who my wife and I are. We've been residents here of this beautiful city for about 20 years now. I want to say we're contributing positive contributors to the things that go on in the city. This is a very uncomfortable, this is like fighting with a family member, you know? It's an uncomfortable situation, but sometimes it has to be done. So, I think that my attorney provided you guys with a simple presentation, right? The PowerPoint? Do you have it on you? You know what? I don't even want to do the presentation. I'm going to, I want to, I want to clean up some dirty laundry from the previous meeting, and this is going to be a very simple five-minute presentation. And if you have any technical questions, I'll be happy to have my attorney answer them. I'd like to share some things with you guys, if I may. Let me find the right one. Can I provide each one of you with a copy of this real quick?

Mayor Lago: Of course.

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City Attorney Suarez: It's just a question. Is this information that was part of the record below at the Historic Preservation Board?

Mr. Javier Avila: Yes, and this is just email communications, and I just want to hear some facts.

Mayor Lago: I don't have an issue with it. If it's email communication with the city, it's already a public record. Thank you.

Mr. Javier Avila: I think by now we all know the property, 1258 Obispo. It's the same lunchbox box that's there. It hasn't changed, but I want to clear some things up. In the last meeting, staff mentioned that I was misrepresenting the sale of the property as a 5,000-square-foot home with approved set of plans. I printed out my Zillow listing, and if you see on there, I highlighted it for you. That is not the case. We offered preliminary plans to expand a historic gem. No point in time where we stated that the property was already with approved plans. Okay. Staff said that we didn't provide them with appraisals. If you will notice there, we provided two rounds of appraisals. One in 2023, two appraisals in 2023, and two appraisals in 2024.

Mayor Lago: So that's a total of four appraisals.

Mr. Javier Avila: Four appraisals have been provided to staff. Okay. Now, you may ask why... Oh, by the way, we've provided four rounds of mailing lists for the staff as well. The mailing list that goes out to let everybody know that this meeting is being held. Four times we've provided the list to staff. Now, you may ask why have you had to do this four times, and why have you had to provide appraisals two times? Well, guess what? This is the reason. So, the communication with staff has been... To say that it's been poor is maybe a severe understatement. If you notice the first email, keep in mind that the first set of appraisals were sent in in 2023. In July of 2024, we got an email basically stating, "Good afternoon, all. Thank you for the follow-up. I was able to track down the application. Unfortunately, it was in limbo assigned to Warren Adams, who left the city over a year ago. So, my first round of appraisals that I submitted to the city sat there recalling, asking what's going on a whole year, nothing. After that, sent an email on August 20th to staff. Submitted all the documents again, everything that they wanted. The only thing that they were asking for was the appraisals for the two years prior to purchase. Guys, I don't know, but to me, it's absurd. I can't force the guy that sold me the house to give me his appraisals, even if he had them for the two years prior to us purchasing the property. But I did provide them with my appraisals, okay? This was August 20th. I don't get a response till September 25th regarding that. And talking about apologies for confusions and so on and so forth. There's a lot of emails like this, but I just narrowed it down to simplify it. Then again, on the following page, on December 6th, Stephanie sends an email to Anna, letting Anna know that the property is not an income-producing property, that we're able to continue moving forward with the filing. We send an email. Hey, what's next, guys? Can we get going? We get an email from staff on January 29th. Confused that

I was under the impression we weren't pursuing that the office had not received the mail. Hold on, sorry. After all the conversation, I was under the impression we were pursuing the sale of the property. I wasn't selling the property. We're just trying to confirm that it wasn't an income-producing property so that we can continue with the filing. Let's continue. The next one. Sent an email in March. Again, new appraisals, new labels, new everything in March. Okay, March. We go silent. Only in August, when staff finds out that I have a hearing with Historic, do I get an email? Wait, wait, wait. No, no, no. No, hold on a second. We're not ready yet. I still haven't done this, and I still don't have the reviewer for the appraisals and all the documentation that you've had since 2023, but now you haven't had time to review. Okay. The bottom line is that this has been a disaster from day one. If you go to the next page, we're trying to get things done. We send a text message to staff. Hey, you can barely see the top one because there's a picture of my beautiful wife and I there, but it basically says, we've been trying to email you. We've been trying to call you. We've been trying to get a hold of you. Can you please give us something? And they say, please keep all correspondence on email. Well, we've been doing that, and that didn't work. So now let's just go to the nitty gritty of this real quick. I hope I was able to clean up my dirty laundry. Let's go to the nitty gritty. This is very simple, guys. This is an engineering report. The next page is the engineering report. This is the engineer that I selected. I don't know this guy. Just somebody that I was referred to. This is the engineering report that he gave. It lists here all the problems with the house, the structure, the trusses, the floor joists, the roofing, the windows. It lists every single problem. Notice that I'm not even going to present you with an estimate for electrical, or plumbing, or paint, or drywall. Because the truth is that all of those estimates, I probably would have had to do anyways, no matter what. But this one, this estimate right here, of all these structural repairs and \$175,000, that one I was not expecting. Okay, all four appraisals that I provided to the city show that 98 percent of the value of the property is on the land. It's not on the structure. The structure is listed at about \$15,000 to \$20,000 in total. So, I don't know how I cannot, when they're saying that I haven't met hardship, forget all the other estimates. I don't care about the paint. I don't care about the drywall. I don't care about anything. Just this one. This was \$175,000 to fix a structure that's worth \$20,000. And then to top it off, if you go to the last page, everybody's crying here about a property that your own independent surveyor, when they were doing the survey of the area, said this building lacks sufficient architectural merit and historical import for individual local designation. So, with that being said, that is literally my presentation. This is nothing complicated. I don't even think we should have been here a second round. I'm hoping that today is the last time and you guys vote in our favor. And I'm going to be honest with you. The ethical thing to do here right now is for both of you guys to stay sitting there and not even get up. Not even get up, not even say one word because honestly, what staff has put us through is unethical and unprofessional. I love you guys because we work together. But on this one, it's been bad. And I think that the best thing to do is honestly, is let them decide with the facts that I've provided and call it a day. I think I've met every single requirement that they've asked us for. And also in the

emails, when they say that I didn't meet, the only thing that they kept asking for was in the email, nothing to do. It was the appraisals. We gave them that. So, we gave them everything that they wanted. That's the end of my presentation, guys.

Mayor Lago: Okay, thank you. I think we should hear from staff. Mr. Manager? Who's going to be presenting in front of staff? Anybody coming forward? Yes.

Deputy City Attorney Throckmorton: Good afternoon again. Stephanie Throckmorton, Deputy City Attorney. I'll just reiterate the board's previous position that they found that there was no claim of undue economic hardship. And they voted to deny the issuance of the special certificate of appropriateness. As you all know, the appeal before you today is to make sure that the essential requirements of law were followed, that due process was followed and that there was substantial competent evidence for that decision. As counsel to the board, I represent that I believe that those requirements were met. If you have any specific questions, I'm happy to turn it over to Anna Pernas, the Historical Resources and Cultural Arts Director.

Mayor Lago: If I may, I'm going to be very brief. My position has only been further solidified in regard to, and I've been very clear on my position. I have not waivered. This has only strengthened my position. Besides all of that, all the information, the appraisals, the emails, this is what strengthened my position. This building is not historic. We have to be thoughtful and methodical. I go back to the simple statement that I've made for years. The litmus test, the linchpin is simple, LaSalle Cleaners. LaSalle Cleaners was a site where, correct me if I'm wrong, I don't have the background many of you may have in regard to historic preservation, even though I think I know a little bit about the city. That was where George Merrick dreamed about the future of the city and worked on the city. Those were his offices, correct? LaSalle Cleaners? The site, the site was knocked down.

City Manager Iglesias: Yes, I'm not sure Mayor, but I believe our Historical Director is here.

Mayor Lago: Come on up, come on up. I want to put on the record. I want to put on the record. What was the purpose of LaSalle Cleaners before it was LaSalle Cleaners?

Historic Preservation Officer Pernas: I don't have the history on that case, unfortunately in front of me, so it's not one that I was familiar with.

Mayor Lago: Remember when it came before.

Historic Preservation Officer Pernas: I know when it came before you.

Mayor Lago: And I voted to preserve it when the Historic Preservation Board at the time voted under Donna Spain. I love her to death. She's amazing. Again, thank you again for donating the champagne this week and for the Art Basel, she always generously does. Said to knock this *City Commission Meeting*

building down because it had been altered to a level that, again, took away the historic significance away from it. To me, a building of that, with that history, should have been preserved. And this is what my argument goes back to. You're telling me that a building which is not historic, where this is clear as day, is insufficient for even consideration for historic designation, but we're going to penalize a resident in this community, because we've seen what happens when we're overreaching. We've seen what happens in trees in regard to preemption. We've seen what happened with historic homes, which, by the way, I think was a travesty what happened to that home in Gables Estates. The fact that that property was torn down. That is a world-renowned architect. A historic home was torn down as a result of preemption at the state level. And we're fighting over a property that, in my opinion, is not even in the same hemisphere, not even on the same planet. Solar system has a property of that magnitude, or the property that, again, was also torn down on LeJeune, which was Merrick's offices. So, to make a long story short, my position remains the same. I think these are longstanding residents here. I think that we need to focus in on preserving historic gems, case in point. You bring before me the Fink Studio for sale, I bring it to the city to get purchased. You bring me the Whiteway Lights, we take money from Art in Public Places, and we spend \$2.5 million on the Whiteway Lights. Look how beautiful they came out. We bring the waterway. I know the Vice Mayor, myself, and the Manager have been out there countless times. We're going to preserve the Water Tower. You bring the Biltmore. A few years ago, we spent millions of dollars a year that would have gone through our coffers. We gave it to the Biltmore to spend that money on the Biltmore. These are gems. These are jewels. These are reasons that are worthy that we save. This, in my opinion, is overreaching, and I think it sets a dangerous precedent that could eventually hurt us. Madam Vice Mayor.

Vice Mayor Anderson: So, in the time period that we've had to study the transcript more and study the record more, I've also had thoughtful, you know, introspective thoughts on, you know, other historic properties that we have, such as 1021 Hardee, a historic gem, which the Historic Preservation Board allowed significant demolition of the interior and the exterior walls are still standing. The amount of investment that you need to put into a building sometimes will be, what is its value? What does it contribute to our city? It's really what I'm trying to say. One on Hardee is a gem because of who the architect was, where it sits, the contribution that it makes to our city and the architecture and the history. I've also driven around this block on Obispo, and there's some beautiful, architecturally significant buildings on that block, but this is not one of them. So, the degree of investment that is warranted into a building many times has to be balanced with the value of the building itself and how it contributes to our architectural history. I also looked at the appraisal report that was done by the Property Appraiser, something that I've used as a conservative estimate many times, not only for this building, but for the buildings, buildings, not the land, the buildings on adjacent properties of similar size. And there's an astounding difference between them. 21,000 versus 300,000 versus 400 for the structure, not the land. The land is the land. The land is inevitably going to go up and down based upon how much space that we have to live. And

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then you have this estimate just for the structural. This doesn't mean you're going to preserve this building. It is seven times the value of the existing structure. If anything points to the fact that you have a non-historic building, I know that some people will say it's historic because it's in a block and it contributes, but I fail to see where in the record it is clearly distinguished that this feature and that feature on this building makes it a contributing structure. It's because it's in the block. So, I've also been in newly constructed homes, and I would have never, ever known were newly constructed. I would have, I thought they were built in the 1920s. They were dropped dead gorgeous. The quality of the architecture, the finishes inside on the plaster. I would have never known that they were. I could envision a contributing structure on this site that's brand new and you would not know that it didn't fit within the block because it doesn't have the conflicting, quite frankly, architecture that exists on this home versus the magnificent architecture and flavor and character that you have in the remainder of the block. And I looked at the criteria, Penn Central, they talk about different factors on architect of the notoriety of the architect, architectural features shared with other historic properties. This looks like a 1940s structure that could have been placed anywhere in Miami-Dade County. You would have not known it belonged to Coral Gables. So, the fact that it does not qualify for historic preservation, standing on its own is a big factor and how much one should be required to invest into it to preserve it. And I don't see how preserving it contributes to the significant historical, cultural, architectural or aesthetic value of the block. I don't think that the proposed building that you had meets that criteria either. I think that something can be tastefully done that will, but that's up to our Board of Architects in the future. But I don't find that the criteria satisfied the substantial competent evidence necessary to deny this application. And when you're requiring appraisal after appraisal after appraisal, when you're really only getting the value of the land changing and the value of the building continues to deteriorate and go down because it's not significant. It's not special. It's a box. It's really what it is. So, I'm in favor of not affirming this.

Commissioner Castro: Through the Mayor.

Mayor Lago: Yes.

Commissioner Castro: I think I'm just going to make this a lot easier. I don't think there's going to be support here, but we'll see right now. I'm going to go ahead and move to affirm the decision of the Historic Preservation Board.

Commissioner Fernandez: I'll second.

Mayor Lago: Would you like to make some comments before we go? Anything else?

Commissioner Fernandez: Well, I had comments.

Mayor Lago: She wants to make a statement. She doesn't want anybody else to make some comments.

Commissioner Lara: Okay. So, I appreciate, Mr. Avila, your presentation. Besides being passionate, I think it was competent. I believe that without rehashing all the things that you said and what was said at the last Commission meeting on this issue, my review of the record below does not, in my view, support affirming the decision from below. So, I believe that the correct thing to do under the circumstances, given these circumstances that we find ourselves in, a resident who has been so diligent in trying to get his property and your wife's property, of course, in a position to do the reasonable and the common sense thing, to tear it down without any competent record evidence below to support what I believe was the wrong decision. So, my view and my vote will be to reverse.

Mayor Lago: Commissioner.

Commissioner Fernandez: So, I think you made a very compelling case. And this decision has, I think, troubled the entire Commission last time and I think today. For me, I base my decision on whether the Historic Preservation Board did what they were supposed to do. And I believe they did. I understand there are things that we can do to improve. We had that conversation last meeting about improving the process to make sure somebody doesn't go through what you're going through, but I do believe the designation exists. Whether it was a designation specific to the property or whether it was a district, I believe the designation exists and it should stand. I think you have the support to move on with your process. I appreciate the fact that you have dedicated yourself to proving to us that you are correct and you've presented very compelling evidence. I have to base it on whether I think the prior board, which I think is what we're supposed to do, made their decision. Others disagree with it. I believe they did what they had to do. Nothing against you. I think you followed what you needed to follow to get here. And I think it's something that, as a city, we need to review to make sure that somebody doesn't go through what you have gone through. There should not be emails that go unanswered. There should not be things going to the wrong staff person who hasn't been here for years. I apologize on behalf of the city that you have fallen through the cracks and that here you are, years later, still trying to get a resolution to this issue. And I think that that's something that we need to make a commitment to moving forward, ensuring that we improve the system to ensure that this doesn't happen again.

Mayor Lago: Mr. Clerk, do we have any public comment?

City Clerk Urquia: I don't have a public comment. However, I did receive an email from Ms. Joanne Marr. She said she was not going to be able to be here and she requested that it be read into the record.

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Mayor Lago: Okay, perfect. Please close the public comment.

City Clerk Urquia: It says, "Perhaps the Obispo home doesn't have the same panache as one of Merrick's 1920s homes of distinction. However, as less data force, most recent book illustrates, Coral Gables history didn't stop with George Merrick. The preservation board followed the guidelines in determining that this house is a contributing structure within the Historic District. As such, it is afforded the same protection as if it had been individually designated. At a previous Commission meeting, the Mayor stated that it did not have that protection. He was mistaken. The record should have been set straight at that time by HRCA Director Anna Pernas, who was present at the meeting. If contributing structures are not protected in a Historic District, why have these districts at all? Please follow your own city codes and affirm the decision of the historic preservation board."

Mayor Lago: Ms. Pernas, will you please stand? Your name was used in an email. Would you like to respond?

Historic Preservation Officer Pernas: I appreciate that. Thank you. Anna Pernas, Preservation Officer, Historic Resources and Cultural Arts Director. The point that I think Ms. Marr was trying to make is that any contributing building within a Historic District is considered a historically designated building within when it's designated contributing. We have different opportunities and techniques of designating properties within the city. We do Historic Districts, individual designations, multiple property designations, or thematic designations. So, we have like the Coral Cottages that is a thematic designation of multiple properties. We have the Historic Districts that are just as recognized as an individually designated property. And within those studies of Historic Districts, you have two categories of contributing and non-contributing. This structure was considered a contributing building, so it falls under our purview and has the same protections and importance as any other historically designated property. Thank you.

Mayor Lago: In response to Ms. Marr. I'm the one that asked her to be here for the Merrick Minute. I'm actually rather disappointed that she would say that I was incorrect. I was correct. This building is not historic, not a historically designated building. It may be contributing structure, but that doesn't mean it's historic. You can say what you want to say. Is it historic? Yes or no? Is it designated a historic building? Yes or no?

Historic Preservation Officer Pernas: It is.

Mayor Lago: How? Tell me.

Historic Preservation Officer Pernas: It's designated within the Historic District. So, the Historic District has been adopted by the city on the Coral Gables Register of Historic.

Mayor Lago: So, every single property in that entire neighborhood is now contributing possibly?

Historic Preservation Officer Pernas: No. So that's when the studies are done that you have the two categories of contributing and non-contributing. So, the non-contributing structures, they're within the districts and you're able to make more changes to them. There's more flexibility to them. Demolition of those structures is considered, and properties have come to the Historic Preservation Board, and we approve those demolitions. But when we're going before a building that's contributing, we consider it as one of our historic properties and we move it through the process as this one did.

Mayor Lago: So let me ask you a question. When you go to a contributing property like this one, does it have the little sign that says historic property on it?

Historic Preservation Officer Pernas: That's based off-

Mayor Lago: I'm asking, yes, I want to-

Historic Preservation Officer Pernas: It can.

Mayor Lago: But does this.

Historic Preservation Officer Pernas: This one specifically, no.

Mayor Lago: Okay. But do all contributing properties have that little plaque that says historic property? Does it have a yes or no?

Historic Preservation Officer Pernas: If the property owner comes to pick it up, they do. They can. We have them available in our office if they want one.

Mayor Lago: But this is a contributing property. And so, you say that now all contributing properties are historic.

Historic Preservation Officer Pernas: They are.

Mayor Lago: I completely and utterly disagree. Utterly disagree. And I think it's so overreaching that it's going to get us into trouble like what happened with the beautiful home in Gables Estates that was torn down. There has to be limits. There has to be limits. And when you talk to residents and when you get emails from residents who watch this on TV, they say it's so far overreaching that it scares them about the potential future of, for example, ranch-style homes. Where do we go from here? What's the next thing? What do we start looking at homes that are over 50 years old that could be contributing, that could be contributing, that are interpreted as possibly being historic while they're not designated? So, I think there has to be limits. Again, and I'm a big fan of historic preservation. My record speaks for it. But I think this is far overreaching and I do wholeheartedly

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disagree with you and Joanne Marr in regard to the fact that this property is historic. You may say it's historic because it's contributing. I think contributing is a term that's used by your department to be a little overreaching in my opinion. And I think at the end of the day, it hurts historically designated properties because people look at this scenario and they get freaked out about any property that is not deemed historic, that hasn't received that emblem, that doesn't have that plaque on their door. Well, should I buy this property? Should I not? Should I not move into Coral Gables? What if they deem my property historic? And that's what I see is a little bit too much.

Historic Preservation Officer Pernas: And we're working on that transparency. Right now, we had Jennifer work with us this past year to add us to the GIS map as a layer. So, property owners can go search their address and it'll say if you need to come to us or not, if it's contributing, if it's in a district, if it's individually designated. So, we want to make sure that people are aware at that first level of research rather than having to go through X amount of people to find out who is my property going to be considered historic and how it will affect my potential.

Vice Mayor Anderson: So, I failed to point out in my first round of comments, the slippery slope that we're on, the thin ice. It is the desire of the Florida Legislature to make sure that we provide housing. And this concept of having contributing properties, especially something as such as this one, because this one specifically was used as an example of what our city is doing wrong. Okay. Is going to result in a much more tragic loss in a way of historic preservation for our city. So I caution you, caution every single person out there that thinks that merely because you have a structure that's worth \$21,000, according to the Property Appraiser, that it should be preserved to the tune of well over seven times the value of that structure just to bring the original structure up to grade so it's not dangerous, not even doing the rest of the restoration is going to tip that scale. And a statement I heard earlier that the designation exists and should stand, smacks of a taking. If that is going to be the criteria upon which we determine whether something can, you know, a demolition permit should be made for something that's a contributing structure, especially something as on thin ice such as this one, it's a taking. It's a balancing test that we have to do. Not a de facto, it's historic and it's always going to be historic because it was contributed, someone found that it was contributing structure. But when you drive by the block, the average individual says, where are the architectural features that this building highlights from that block? There's none. It's a taking, it's a balancing test. It is not a de facto bright line once historically designated as a contributing structure that we cannot go through the Penn Central test and determine at what point it becomes so expensive to preserve something that is not an original Fink structure, is not a 1920-some-odd structure that substantially adds to the architectural quality. At what point do we run the risk of losing it all? And we can and will lose it all if we continue down this road.

Mayor Lago: Thank you very much. Mr. Clerk, we have a motion and a second.

City Clerk Urquia: Yes, Mr. Mayor.

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Commissioner Fernandez: Yes

Commissioner Lara: No.

Vice Mayor Anderson: No.

Commissioner Castro: Yes.

Mayor Lago: No.

(Vote: 3-2)

Mayor Lago: I make a motion to overturn the Historic Preservation's determination.

Vice Mayor Anderson: I'll second it.

Commissioner Lara: Yes

Vice Mayor Anderson: Yes

Commissioner Castro: No

Commissioner Fernandez: No

Mayor Lago: Yes

(Vote: 3-2)

Mayor Lago: Thank you very much.