

1 CITY OF CORAL GABLES
 2 LOCAL PLANNING AGENCY (LPA)/
 3 PLANNING AND ZONING BOARD MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES CITY HALL
 6 405 BILTMORE WAY, COMMISSION CHAMBERS
 7 CORAL GABLES, FLORIDA
 8 WEDNESDAY, OCTOBER 11, 2017, COMMENCING AT 6:10 P.M.

- 9 Board Members Present:
 10 Eibi Aizenstat, Chairperson
 11 Jolie Balido-Hart
 12 Maria A. Menendez
 13 Marshall Bellin
 14 Julio Grabiell
 15 City Staff and Consultant:
 16 Craig Collier, Special Counsel
 17 Craig Leen, City Attorney
 18 Jill Menendez, Administrative Assistant
 19 Miriam Ramos, Deputy City Attorney
 20 Ramon Trias, Planning and Zoning Director
 21 Jennifer Garcia, City Planner
 22 Eduardo Santamaria, Public Works Director
 23 Also Participating:
 24 F.W. Zeke Guilford, Esq., on behalf of Item 5
 25 Paul Savage, Esq., on behalf of San Remo Office Associates
 26 Mario Garcia-Serra, Esq., on behalf of Items 6-8
 27 Willy Bermello, Architect for Items 6-8
 28 Raul Carreras, Architect for Items 6-8
 29 Daisy Fernandez, Architect for Items 6-8
 30 Juan Espinosa, Traffic Specialist for Items 6-8
 31 Public Speakers:
 32 Debra Register
 33 Mitchell Arthur
 34 Sue Kawalerski
 35 S. Lani Kahn Drody

1 THEREUPON:
 2 (The following proceedings were held.)
 3 CHAIRMAN AIZENSTAT: Good evening. I'd like to
 4 call the meeting to order. I'd like-- please, if
 5 everybody would take this time to either turn off your
 6 cell phones or put them on silent or any other
 7 electronic devices you may have.
 8 This Board is comprised of seven Board Members.
 9 Four Members of the Board shall constitute a quorum, and
 10 the affirmative vote of four Members of the Board
 11 present shall be necessary for the adoption of any
 12 motion.
 13 A tie shall result in the automatic continuance of
 14 the matter to the next meeting, which shall be continued
 15 until a majority vote is achieved. If only four Members
 16 of the Board are present, which we have more than four
 17 Board Members now, an Applicant shall be entitled to a
 18 postponement to the next regularly scheduled meeting.
 19 If there's any lobbyist, registration and
 20 disclosures, I'd ask that they please register with the
 21 City.
 22 I now call the Board of the Planning and Zoning of
 23 October 11, 2017. The time is 6:10. Jill, please call
 24 the roll.
 25 THE SECRETARY: Jolie Balido-Hart?

1 MS. BALIDO-HART: Yes.
 2 THE SECRETARY: Robert Behar?
 3 Marshall Bellin?
 4 MR. BELLIN: Yes.
 5 THE SECRETARY: Julio Grabiell?
 6 MR. GRABIEL: Here.
 7 THE SECRETARY: Maria Menendez?
 8 MS. MENENDEZ: Here.
 9 THE SECRETARY: Maria Velez?
 10 Eibi Aizenstat?
 11 CHAIRMAN AIZENSTAT: Here.
 12 Please be advised that this Board is a
 13 quasi-judicial Board, and the items on the agenda are
 14 quasi-judicial in nature, which requires Board Members
 15 to disclose all ex parte communications and site visits.
 16 Has anybody had any communication or site visits
 17 to any of the items which are on the agenda tonight?
 18 Please let it note that none have.
 19 If everybody, please, that will speak tonight can
 20 please stand up and be sworn in.
 21 (Thereupon, all parties were sworn.)
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 First, let's go ahead, and is there a motion for
 24 the approval of the Minutes of the August 9, 2017
 25 meeting?

1 MR. GRABIEL: I move.
 2 MS. MENENDEZ: I second.
 3 MR. AIZENSTAT: Any discussion?
 4 No. Call the roll, please.
 5 THE SECRETARY: Marshall Bellin?
 6 MR. BELLIN: Yes.
 7 THE SECRETARY: Julio Grabiell?
 8 MR. GRABIEL: Yes.
 9 THE SECRETARY: Maria Menendez?
 10 MS. MENENDEZ: Yes.
 11 THE SECRETARY: Jolie Balido-Hart?
 12 MS. BALIDO-HART: Yes.
 13 THE SECRETARY: Eibi Aizenstat?
 14 MR. AIZENSTAT: Yes.
 15 The last item that we have on the agenda tonight,
 16 which has to deal with the Landscape Requirements and
 17 Zoning District, Section 4-201, one of our members,
 18 who's not here today, is Robert Behar, and he has asked
 19 if it will be okay with the Board if we defer this item
 20 until he is here to listen to it and participate in it.
 21 Is there any comment or is everybody okay with
 22 that?
 23 MS. BALIDO-HART: Sure.
 24 MS. MENENDEZ: Sure. That's Number 11?
 25 CHAIRMAN AIZENSTAT: Number 11, the last item.

1 I'm saying that-- in case there's anybody here that was
 2 waiting for that item, I'd like to bring that forward.
 3 MR. GRABIEL: It doesn't affect the schedule for
 4 Staff?
 5 MR. TRIAS: No. No, sir.
 6 MR. AIZENSTAT: Is everybody okay with it?
 7 MS. MENENDEZ: Sure.
 8 MS. BALIDO-HART: Yes.
 9 MR. AIZENSTAT: Okay. Do we need to make a
 10 motion, Ramon, to defer that, or is it automatic?
 11 MR. TRIAS: It's a change of the agenda, so I
 12 think that's fine, as long as-- I think it's fine.
 13 MR. COLLER: I think a motion-- a voice vote would
 14 be sufficient for that.
 15 MR. AIZENSTAT: Okay. Anybody make a motion we
 16 defer this?
 17 MR. GRABIEL: I move to defer it.
 18 MS. MENENDEZ: I'll second.
 19 MR. AIZENSTAT: Second. Everybody in favor?
 20 MR. GRABIEL: Aye.
 21 MS. MENENDEZ: Aye.
 22 MR. AIZENSTAT: Anybody against?
 23 Okay. Thank you.
 24 Craig, will you please read the first item into
 25 the record?

1 MR. COLLER: Yes. Public Hearing Item Number 5,
 2 Resolution of the City Commission of Coral Gables--
 3 MR. TRIAS: Craig, we have a presentation from
 4 the City Attorney.
 5 MR. COLLER: Oh, I'm sorry. My apologies.
 6 MS. MENENDEZ: It's okay.
 7 MR. LEEN: Mr. Chair, I would ask the privilege of
 8 being able to have the Deputy City Attorney, City
 9 Prosecutor, be able to present to you on an issue
 10 regarding conflicts of interest, and she's just going to
 11 give you some guidance. She used to be the Deputy
 12 General Counsel of the Ethics Commission. She's one of
 13 the most knowledgeable individuals on this topic in
 14 Florida. In addition to that, she's published on the
 15 topic. So with that, I give you Miriam Ramos, the
 16 Deputy City Attorney.
 17 MS. RAMOS: Good evening, everyone. Unbelievably,
 18 I have not made it to one of your meetings in the
 19 two-and-a-half years that I've been working for the
 20 City, so I apologize for that. I know some of you. I
 21 don't know others. So a pleasure meeting the ones that
 22 I don't know.
 23 I'll take this moment to let you know that you
 24 should've received an invitation today for a full
 25 four-hour ethics training that will be occurring on the

1 27th of October from 9:00 to 12:00.
 2 Those of you who have served before have probably
 3 attended it. It's always a good refresher. For those
 4 of you that are new, it's very, very important that you
 5 attend. In fact, we call it a mandatory training.
 6 MR. LEEN: May I say one other thing?
 7 MS. RAMOS: Sure.
 8 MR. LEEN: I'm actually going to have to leave
 9 before she completes this, so-- I know that two Board
 10 Members are not present, so I would ask that this be--
 11 they get a copy of the transcript along with the
 12 Powerpoint, and that they look at it.
 13 In addition to that, I wanted to tell you that
 14 we're doing this for all of the quasi-judicial Boards.
 15 So it's you, the Historic Preservation Board-- are we
 16 doing it for any other Boards?
 17 Those are the two main ones that have legislative
 18 authority, as well as quasi-judicial.
 19 MS. RAMOS: Correct.
 20 MS. MENENDEZ: Does this replace the training on
 21 the 27th?
 22 MS. RAMOS: No. This is going to be like 15
 23 minutes, and it's only on voting conflicts. And really
 24 it got thrown off. The idea was that we were waiting to
 25 have the Boards and Committees until everybody can make

1 it. You know, we're scheduling it far out. So I was
 2 going to be here in September. But obviously it got
 3 thrown off by the hurricane. So here I am, and in two
 4 weeks, you'll hear a little bit of this, but a whole lot
 5 more. We do Sunshine Public Records, and a lot more
 6 things, you know, in the big training session.
 7 So without further ado, I'm going to go ahead and
 8 get started so that you can get on with your business.
 9 There are a few layers of legislation that affect
 10 appointed officials, employees, and elected officials,
 11 and you're among that category. Obviously, you're
 12 appointed officials. So there are State Laws that apply
 13 to you, there's the County Ethics Code that applies to
 14 you, and then there's also the City Ethics Code. So
 15 what I've tried to do is merge the three, in order to
 16 make it more user friendly, and the reality is that we
 17 interpret them together, because that's the best way
 18 that we can protect you and protect the City.
 19 The first thing I want to talk about is immediate
 20 family, because there's three different definitions,
 21 because clearly that's not confusing. So a lot of the
 22 provisions talk about immediate family, and extend
 23 things that are not permitted by you to immediate family
 24 members. So to that end, I'd like to discuss who
 25 immediate family is, who we're talking about.