

City of Coral Gables City Commission Meeting
Agenda Item 2-1
December 6, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Dr. Jill Deupi, Arts Advisory Panel
John Stuart, Arts Advisory Panel
Fernando Alvarez-Perez, Cultural Development Board
Magda Granda, Coral Gables Resident
Olga Ramudo, Coral Gables Resident
Frank Rodriguez, Coral Gables Resident

Agenda Item 2-1 [10:09:31 a.m.]

A Resolution by the Arts Advisory Panel strongly supporting the selection process, selected artist and public artwork Passion/Passiflora Incarnation at its current location on Segovia Street at Coral Way and Biltmore Way. (Unanimously voted on by the Arts Advisory Panel by a vote of 6 to 0).

Mayor Cason: Let's move onto Agenda Item 2-1, this was a Resolution by the Arts Advisory Panel strongly supporting the selection process, selected artist and public artwork Passion/Passiflora Incarnation at its current location on Segovia Street at Coral Way and Biltmore Way.

Historic Preservation Officer Spain: Yes. This was a resolution that was passed by the Arts Advisory Panel on November 2nd; I'll read it again into the record. Ms. Tschumy made a motion expressing the Arts Advisory Panel's strong support of the appointed Segovia Circle Artwork Judging Panel, the selection process that was followed, and the ultimate selection of the Alice Aycock artwork Passion/Passiflora Incarnation and installation, further recommending that the City Commission keep the artwork at the installed location within the Segovia Street Traffic Circles and Dr. Dupree seconded the motion, which was passed unanimously. We have members of the Arts Advisory Panel here today, and also I believe there are members of the Cultural Development Board here. I don't know if they all want to speak to this issue, but I know that Dr. Dupree would like to say a few words, I'm not sure when we should call.

Mayor Cason: Certainly – anybody on those two committees that would like to come up, please come up. This is not something we are voting on, we are just accepting your resolution, acknowledging your resolution.

Dr. Deupi: Good morning Mayor, good morning Commissioners. As Mrs. Spain said, we on the Arts Advisory Panel at our last meeting had a very extensive conversation about the Aycock and we unanimously agreed to affirm both the process and the selection of the piece; and I should just emphasize or state and then emphasize that we did not necessarily discuss the aesthetics of the piece, because I think we all recognize as art professionals, many of us who has vast experience with public art projects that never will you find a project that everyone agrees upon unanimously in terms of how it looks. I would just remind us all that in the late 19th century the Eiffel Tower, for example, was called a very ugly piece of asparagus, metal asparagus, just to give you a sense of historic context; and to know really we are not alone in that there are some voices of dissent in terms of the aesthetic of the piece, and I think we all feel that, that's OK and that's normal and natural that when something is new and in this case different, as was the Eiffel Tower, it's to be expected that some individuals may find it not to their particular taste or shocking, but what was important for us as a panel was to affirm not only the selection of Ms. Aycock, who is a very well established, very well respected artist with significant public art, art project, sculptures, throughout our country and elsewhere, as well as having her works held in very notable at permanent collections at some of the most important significant art museums across the country and the world. So we affirm not only her selection, but also the process by which her piece, the artist and then her piece was selected.

Commissioner Lago: Thank you. Thank you for being here.

Mayor Cason: Thank you. I'll just go down these cards, John Stewart, John Stewart.

Mr. Stuart: Good morning, thank you very much. I just want to say that a few years ago I worked on a history of the public art in Coral Gables with Arva Parks and it was exhibited at the Coral Gables Museum. It was an exploration of all the ways in which the City has been amazing in its support of art. This was right after the very founding, the initial founding period of the City, and the City has a strong tradition of public art and public art that relates to nature and it relates to the way in which we celebrate the coral and everything that grows out of it, and I think that this piece falls very firmly in that tradition and I support, I sit on the Advisory Council and I support the decision to approve it. Thank you.

Commissioner Lago: Thank you for your work.

Mayor Cason: Thank you. Carol Damian – OK – Mark Trowbridge.

Mr. Trowbridge: Hello everybody, Mark Trowbridge with our Coral Gables Chamber of Commerce, 224 Catalonia Avenue. I just wanted to share with you an event that we hosted on Sunday morning as part Art Basel, and as some of you may recall, including our own City Manager when she was in a different role. We worked very hard in the early days of Art Basel to get an event or events here in Coral Gables. A number of art galleries participated, but they were literally pick up lock, stock, and barrel and moved to Miami Beach for the four days of Art Basel that has grown over the last decade and more. We have not given up to have an opportunity to be showcased during Art Basel; and the sculpture in the Segovia Circles, the Alice Aycock sculptures allowed us and afforded us that opportunity this past Sunday, and not only did we have a wonderful turnout of Art Basel attendees who came over via private vehicle and bus and our own trolley, but Stephanie Reid who is the head of Art Basel attended that event, never has attended anything of that type here in Coral Gables and Commissioner Lago and I had an opportunity to chat with her and thank her for attending, and she made it very clear that she was here, because of getting an opportunity to meet Alice Aycock, to view the sculptures, and bring members of the Art Basel community, the attendees from all over the world. I met people from Singapore and all over Europe who wanted to come and see the sculpture and meet Ms. Aycock. She couldn't have been more gracious. I had never met her before, she gave wonderful remarks about the process by which she came up with this design, we even met her engineer who put together the structure, so that it could withstand 175 miles per hour winds, if that were to unfortunately happen; and unfortunately I said to her, you know there are other winds a-blowing here in the City, so stay strong, and she was appreciative of that. So I just think it's important we look at as Dr. Deupi said, our place in the community, and while we represent the business community opportunities to bring in people from all over the world who happen to be art collectors, but also are significant voices in the business community is a thrill for us to do that, and I hope that we can continue to do that moving forward, but this was our first opportunity and it was because of those sculptures. Thank you.

Mayor Cason: Al Perez.

Mr. Perez: Good morning members of the Commission, thank you for the opportunity to address this Board. I'm here on behalf of the Cultural Development Board and being a member of that and I appreciate the opportunity. I have an office at 2555 Ponce de Leon Boulevard and I want to talk about the big picture very briefly, and what I'm talking about is the Art in Public Places. We need to support that heavily, it communicates sophistication by the City, maturity by the City, just like other major cities like Boston and New York, and we need to be talking about that, and hopefully we can even reach out to corporate citizens of our community to contribute to the acquisition and placement of important works of art. If you believe in the Cultural Development Board or the Arts Council did not participate in selection of this particular work of art that's before you, if you feel that the rules were followed and the folks that were appointed to that, which I understand was an ad hoc committee, did their job then we need to get that behind us. We can talk about forever about whether the Mona Lisa smile is pretty or not, or whether George Merrick should come before this committee and ask you for having gondolas on the waterway, you'd probably be strung up by the citizens, but you've got to get past that and think of the big picture and the big picture is the cache of our town. Thank you.

Mayor Cason: Thank you very much. Fernando Alvarez-Perez.

Mr. Alvarez-Perez: Fernando Alvarez-Perez, a member of the Cultural Development Board. I live at 4103 Anderson Road. Unfortunately Dr. Deupi, Mark Trowbridge, and Al have already mentioned a lot of the things I was going to say. So I'm going to pick out a little bit of the things that I did have. I really don't think that we can – we need to extoll the beauty or the value of this work. I think that the Museum of Modern Art, the Whitney, and many other museums around the world have already done that. I think we really have to speak of three points; one is that Mediterranean sculptures have not been the standard for our community. Recently, we can look at Gene Ward's sculptures at the library; we can look at the Shoes at Cartagena, and Jose Marti geometric sculptures there. The Arts Advisory Panel has reaffirmed that every process has been followed in this concern, and I think that our City cannot function with a 20/20 hindsight. We have to follow the procedures and the rules as they go along. So those are the things I wanted to say, and also that unfortunately during the preparation process, none of the people that would have been interested in this were really involved. In fact, just recently at the talk that Ms. Aycock gave really nobody from the people who might not have been in agreement with this were there, but most important of all, I think that we need to see this as an international incident in the sense that, how can we present our City as a forward looking City and with a very, very strong historic and merit oriented architectural background, but if we fail to adapt that artwork, which is contemporary, new, which Merrick originally was a forward proposer of, how can we bring these

delegations, countries, corporations to Coral Gables. So I think that this is very important, not only did Stephanie Reid come, the Guggenheim...came to the opening of the Aycock exhibit; and just as a corollary, I would like to say that Merrick saw Biltmore Way in which I used to live up until two weeks ago, as the Park Avenue of Coral Gables. Well guess who invited Alice Aycock to show for three months two years ago, Park Avenue in New York. So it was shown, these works which are actually much more, much tougher at Park Avenue and everybody was very, very pleased. So I would like to see if we can end this incident as soon as possible, because it is hurting our image internationally. Thank you.

Commissioner Lago: Thank you doctor.

Mayor Cason: Thank you. Ms. Granda, I can't read the...

Ms. Granda: Granda.

Commissioner Lago: Ms. Granda.

Ms. Granda: Good morning and thank you for the opportunity. I am not an art expert, there are things that we all like and things that we not like, because to me beauty and art is in the eyes of the beholder, OK. I'm not against modern art. I do believe that this is a little bit too eclectic; it's not a good fit for the City. I love modern art too. I love the singing Picasso in Chicago, so it's not that I'm against modern art, but this is a little too much for the City. Thank you.

Commissioner Lago: Thank you very much.

Mayor Cason: Thank you. Olga Ramudo.

Ms. Ramudo: Good morning.

Commissioner Lago: Good morning. How are you?

Ms. Ramudo: How are you?

Commissioner Lago: Good. Good to have you here.

Ms. Ramudo: My name is Olga Ramudo, I own a company called Express Travel. I live in Coral Gables; I have real estate investments in Coral Gables. I sit on two national boards, five local boards, including Cultural Affairs for Dade County and Economic Development Board for Coral Gables. The reason I say this is because I started this petition like many of you know, and it's not

because I having nothing to do with my life, I have a lot to do with my life. I travel internationally this afternoon, I haven't even packed and I'm here. Thank you to most of you that took your time, some of you while travelling to answer me, some met with me, dedicated your time, and a couple of you didn't answer one e-mail, didn't answer one call. That was not appreciated. I'm a resident, I think I deserve answers. Now when we have comments like, there are some opposed to this artwork, it is not some. We already handed in 1,400 signatures that the Clerk's office is verifying. There are about 500 e-mails expressing dissatisfaction, that's about 2,000 Coral Gables residents and voters that are opposed to this. Are the residents and are we opposed to art in public places? - absolutely not. That's what makes our City, that's what renown's our City. I am sure there are other pieces of art that would fit more with what our City is, that would have drawn international visitors, would have drawn Art Basel. Now when I hear comments that the process was followed, I question Resolution 29040, it reads, "enhance the artistic heritage of the City and possess steady characteristics that contribute positively to the quality of public places, lands, and buildings." I would like to ask how does this artwork enhance the artistic history of our City. Now Cynthia Birdsill sent an e-mail to the artist saying, during your visit to our City it is our hope that you will be able to experience the motives and features that imbue this location with such magic and romance. The RFQ for this particular artwork and for this location reads. The City is largely designed with Mediterranean Revival architecture and features. George Merrick initially marketed the residential development Castles in Spain set in the South Florida tropics. The residents are extremely proud of their heritage and of the classic European aesthetic experience exuded by the City. This is a City that values natural beauty, its history and family. Now I would like to ask how was that ever considered in the selection of this artwork? - and she was exactly right in the RFQ, we are proud of our Mediterranean City. We are proud of the history that it brings. We are proud that we are different. We are not a modern City, we would like to maintain that Mediterranean aspect that historic aspect and I want to stress, this is not a bunch of retired baby boomers. I want to read you one e-mail that I received. My name is Gracie Carrie Carter, I've been travelling quite a bit, but as I caught up on local news I was beyond elated to see that you find this artwork inappropriate for our community. About a year ago, I moved from my Brickell Key condo into a home I bought in Coral Gables. I'm in 1036 Palermo Avenue, between the DeSoto Fountain and the Biltmore. A selling point for me was the very nature of this community that preserves so much rich history and beautiful greenery. There is no other place in Miami and this is coming from someone in her early 30's. This roundabout makes me cringe every single time I pass through there since their installation. I sure wish our tax dollars had been used differently. To say aesthetically they do not fit in our community at all. This is not judging the art of Alice Aycock. She's a great artist, renowned, absolutely. This is not to insult anybody. I met with the Coral Gables Museum Director and she was nervous, are you all going to come with signs here for the presentation?- absolutely not. Never would we want to embarrass our City, but this is not appropriate for Coral Gables. It should not have been selected, now it's done, what do we do next? Put it on the ballot let the residents decide where we move it

to. It's inappropriate where it's at, it's too big, it's too large, it's a traffic hazard, and mainly it does not represent our City. So put it on the ballot. We are going to continue collecting the signatures; and Commissioner Keon you said once, you probably won't collect the 6,000 signatures, and you are absolutely right, we probably won't. But then it's up to all of you if we already have 2,000, let's say we get 1,000 more, I believe that's about 50 percent of the voters for Coral Gables. It's up to all of you to do the right thing or not.

Mayor Cason: Let me make the point that you made a very valiant effort, you had a month during the election season to get the 20 percent of the registered voters and you got 4.5 percent. In other words, 95 percent of the registered voters did not support your opinion. You have the right to your opinion, but 95 percent of the registered voters did not sign your petition, and 98 percent of the residents of Coral Gables did not. So I understand your point of view, but it's not the majority point of view.

Ms. Ramudo: Mr. Mayor with all due respect, it is not that 94 percent or 95 did not support it. It is an extensive effort...

Mayor Cason: I understand.

Ms. Ramudo:...and it's a group of us collecting this. Like I said, there is family, there is work, you require actual signatures, you don't allow electronic signatures. You know better than anyone else how many e-mails have you received supporting and how many not? I'm not out to say.

Commissioner Lago: Can I just...

Ms. Ramudo: Of course.

Commissioner Lago: Just a few points that you made and I think that it's appropriate that we do. You made a very blanket statement in reference to the Commission as-a-whole that no one has responded. I have personally responded to every single email...

Ms. Ramudo: That's not what I said. I said most of you, including you took the time to meet with me about an hour, Commission Keon answered even from her trip to Italy, Commissioner Slesnick met with me, the City Manager answered me, Mayor never answered one e-mail and Commissioner Quesada never did either. I did not say most.

Commissioner Lago: Let me move on, because I've answered every single e-mail of every single resident...

Ms. Ramudo: Yes you have and you even met with me, absolutely.

Commissioner Lago: ...on the phone and I've met with residents, so I want to be clear. Now just recently we had while I was on the Planning and Zoning Board, we had a referendum that came before us, and they collected, I think it was 6,000 signatures and that was in reference to, I think it was the truck ordinance, correct?

Mayor Cason: The pick-up trucks.

Commissioner Lago: The pick-up trucks, so it is possible to do it, and I commend you for your valiant effort. I think it's the right thing to do, in fact collect the signatures and do it the correct way, but we can't make exceptions, because if we start making exceptions everybody is going to come and say listen, by the way I want this put on as a referendum, I want that put on as a referendum. This is a democracy; we need to follow certain rules. Now in reference to the artwork, I actually like the artwork. I think it's beautiful, but again like you mentioned before, art is subjective, what I may think is beautiful, somebody may think is hideous. For example, when I drive through the Chinese neighborhoods and I drive through it probably three or four times a week when I drop off my daughter at school, I'm not a fan of the Chinese Village. I don't think it's appropriate for the City and I'm not putting a referendum to knock down the Chinese Village. We have to be more tolerant and when we talk about being an international City with a small town feel, I think that you can be an international City and you can be a small town with having different opinions, I think that's what art is. If you go to Art Basel, which I know you are an avid art follower and you go to the 200 or so art fairs that were in this community over the past week, you'll see that there is art for everyone, and you are not going to make 51,000 people, because that's what we have in the City now, we have 51,000 residents, you are not going to make every single person happy. If we had to put every single issue on the ballot, we would have paralysis by analysis.

Mayor Cason: You would not have Art in Public Places.

Commissioner Lago: And my final point, my final point and then I'll be quiet, OK. When we talk about issues about art, I've done my research also, OK, and some of my friends come to my house and they see some of the art on my walls and they think it's atrocious, while some who have no knowledge about art think it's beautiful. Sometimes I bring art home and my wife think it's a travesty, while some of it she loves, but we learn to live with it and sometimes it grows on us and sometimes it doesn't. But let's talk about major art sculptures that have transcended, they redefine how a City is labeled or how they basically market a City. I've had the fortunate ability to be in Chicago twice over the last six months. When you look at the Picasso sculpture, which

is, I think it's a baboon; they wanted to take everybody out the office when that sculpture was put up. When the Bean was put up they thought it was a travesty. When you look at Chicago now, when they market Chicago nationally, domestically, and internationally, they have that sculpture, they show that sculpture, because of how proud they are. When you talk about Miami-Beach and they put the Roy Lichtenstein sculpture up they thought it was a travesty and it was a waste of public funds. Now that sculpture is, I don't even know how much its worth, to the tune of \$15-\$20 million. Now when you talk about Miami Beach and when you see marketing materials you see that sculpture, you see it in the ads. So give it some time, OK. I commend you for your efforts, but this is a democracy, we can't just make exceptions here and make exceptions there. I would love nothing to do than to make you happy, but at the end of the day I have to follow the rules.

Ms. Ramudo: By the way, this is not about me. You already have 2,000...

Commissioner Lago: You know what I mean when I say.

Ms. Ramudo: I know. I understand. Let me just make two quick comments. It's not that the art is not liked. It's a beautiful piece of art. It's not for this City, and particularly where it is.

Commissioner Lago: Let me just give you a little background. About a week ago, a factually incorrect e-mail was sent out to thousands of people, it was a newsletter, it was factually incorrect, OK. I received probably 60 to 70 e-mails in favor of the artwork saying, are we even considering moving this artwork? My colleagues can agree, it was addressed to all of us. I didn't receive one negative e-mail. I have received negative e-mails and I've received positive e-mails. Again, art is very subjective, art is up to your interpretation, but I think that we need to make sure that the process works appropriately and that we follow the rules. I was at the event on Sunday morning and I was proud of our City, and I'll tell you why, because for eleven years we've been doing everything in our power to bring the largest art fair, the biggest cultural experience in the world to have a snippet of activity or input in the City of Coral Gables, whatever it may be; and it was incredible to see the Museum Director of the Bilbao Museum, the Guggenheim Museum, that is a feat to have Stephanie Reid here from Art Basel, to have collectors from Singapore, all over Asia, all over Europe, we had collectors from all over the Mid-West. It was incredible to see people getting off here and having activity in our City that for eleven years never even contemplated coming here.

Mayor Cason: And let me say one thing. I was there too, and one of the things that they commented on was, this is a very appropriate place to put it, look at it, it's surrounded by modern buildings.

Commissioner Lago: You know it's funny, I had several people tell me that you have the Lions, which is a very modern building, this is a great place to have it. Again, we can continue to have this discussion, but we have to follow the rules, by the way, we didn't make these rules up just for this case.

Mayor Cason: Let me say one more thing that people are always invoking the name of George Merrick where he wouldn't have liked this. Well, I ask people to think about what George Merrick did in the 1920's during the time in the United States was one of the most isolationist countries in the world. We didn't want to have anything to do with foreigners; he put in a Chinese Village. We did not even allow Chinese to immigrate to the United States in the 1920's. Now do you think the people who were scandalized at the time, so to say that George Merrick wasn't a visionary that he didn't want to have things different is totally wrong, and I think people trying to assume the mantle of George Merrick and say what he thought what he would have liked is totally wrong. He showed by what he did in this City, creating a City that was a model that was different from every other City that he was a person that was open and I think, as we've said, beauty is in the eye of the beholder, *los gustos no descuten*, we have a process. Unanimously we saw the Art Panel here today saying they support it and for those if you want to get it on the ballot, you need 20 percent of the registered voters, right now you have four and-a-half percent.

Ms. Ramudo: Two final comments and we'll take it from there. Two things --- we all love Art Basel to come to our City. I'm in the tourism industry, the more people we can get to our City, the more I want it, the more I support it, the more bookings we get, the more economic expenditures we have in our City. Would that be the only piece of artwork that would have gone to Art Basel here is one question? - and the other thing, how was the process followed if the RFQ sent to the artist says something differently; totally different than what happened, and those are my two final comments. The process wasn't followed; the RFQ was ignored basically.

Mayor Cason: Thank you.

Commissioner Slesnick: Mr. Mayor, I just want to go back in history a little bit, because we are talking about history. My problem is not with the Arts Advisory Panel and so for selecting the art. I do feel we should have one or two lay people on there, because if you have someone from Miami Beach and somebody that represents other parts of town, I really feel we should have one or two lay people on that Art Advisory Council just as a different perspective.

Commissioner Lago: Who's from Miami Beach?

Commissioner Slesnick: The lady from the Bass Museum.

Commissioner Lago: She lives in the City of Coral Gables; she's a resident of Coral Gables.

Commissioner Slesnick: I know, but she works on Miami Beach, I'm just – and Carol Damian worked at FIU. I know and she's in town. Please give me a moment, please. I'm just saying, I would like a couple of lay people who are not so into art. It's just like anything, we all come from different perspectives here and so forth, so we all have different backgrounds and different things, but artists as a group and there's nothing I don't find, I like the sculpture in parts, because its whimsical and colorful. My objection is the process at the very beginning; you yourself said there were 31 public notices about this. I have asked and other people have asked for the City to pull up those 31 public notices and very few have come up, and so, I do not find 31 public notices where people in general had an opportunity to review the art and to give their input, even the people on the Historic Preservation Board, there is a Historic Preservation Board, but the City, the people on North and South Greenway where the baby artwork is, were not notified, and the people on Coral Way.

Mayor Cason: Can I make point about that. I spent yesterday reading the 2007 discussion creating the Arts Advisory Panel when it was created the way it is right now with the Cultural Development Board making recommendations to the Commission which makes the final decision. There was a word in there when it was set up about the public input. Now I'm always in favor of public input, but that was not – I think they felt that was the problem of what everybody is going to have different views.

Commissioner Slesnick: But it came before the Historic Preservation Board. Again, public input – I'm for open – we don't have a local newspaper anymore except for the community newspaper which is not even, it's just distributed and free; the Miami Herald does not cover most things in the Gables. Last week there was one article about Coral Gables in the Coral Gables Neighbors, and very few articles come out. So, I'm just saying my peeve is before the City borrows a million dollars to spend on a piece of art that something should have happened between the time that it was recommended and when it was finally approved by the Commission that people had a chance to, at least talk about the art that was going there in the middle of a traffic circle where there are yield signs and roundabout signs and traffic signs all around this public artwork. My problem is not with the artwork, and Mr. Lago, Commissioner Lago, also has said that 6,000 people supported the pick-up trucks, OK.

Commissioner Lago: What I said was the process was obviously having to get a referendum.

Commissioner Slesnick: Well the process back on the pick-up trucks is that, way back in 2000 was the Commission changed. Most cities only require 10 percent of the citizens to be signed up

of the registered voters, they have to bring a petition, and we changed it in the early 2000's to make it 20 percent, because we didn't want random people coming and bringing things and having a lot of referendums, so it changed from 10 percent, which is the norm in most cities to 20 percent, which makes it very difficult.

Commissioner Lago: Can I ask you a question?

Commissioner Slesnick: Yes.

Commissioner Lago: Who supported that change?

Commissioner Slesnick: The Commission at the time.

Commissioner Lago: Who voted for in favor of it?

Commissioner Slesnick: The Commission at the time.

Commissioner Lago: Who were those individuals? - they are the ones that – I wasn't here, nobody was here.

Commissioner Slesnick: I know and that's a problem, a lot of us weren't here before, but when the pick-up truck ordinance came on Maria Anderson was the one that brought it back to the Commission and there were about six people in the audience at that time that supported pick-up trucks. You did not require them to get 20 percent of the voters. You as a Commission at that time, whoever was on that, if I could clarify that with our City Attorney, it was Commissioner Anderson and the Commission that voted to put it on the ballot, they did not require 20 percent and that's what Olga Ramudo is asking that we put it on the ballot in April to discuss whether they want it moved or not. The issue is to have it moved, is it not?

Ms. Ramudo: Let the residents decide.

Mayor Cason: Finish up and then move on.

Commissioner Slesnick: I'll finish up – is that at that time the Commission voted to approve, to put the pick-up trucks on and the people at that election, the next election voted for the pick-up trucks, which was a national election, so there were probably 6,000 people that approved for the pick-up trucks and that's where that 6,000 figure comes. So this Commission put...

City Attorney Leen: Just to be clear. The Commission put the pick-up truck item on the ballot, there is a 20 percent requirement in the initiative process, there still remains a 10 percent signature requirement for referendum, so for example, in the situation where the Commission adopts an ordinance or resolution and that can be subject to referendum within 30 days and the citizens have to get 10 percent. The Commission can put anything it wishes on the ballot. If the Commission adopts something and the residents are unhappy with it, I believe it's a 30-day period, it's something like that, I'll have to look again, and they can get 10 percent of the signatures and then they can put it on the ballot, and if it's just a citizen sponsored initiative, which is what this is, its 20 percent.

Commissioner Lago: So Mayor if I may, just one final point. There was a statement made about placing lay people on certain board. I think that you can agree with me that if you are having, let's say a discussion on public safety you would want individuals who are well versed and are experts in regards to policing, military...

Ms. Ramudo: Absolutely but not 100 percent of them. Residents should have a say.

Commissioner Lago: But let me finish this one second. If I'm talking about just for example about art, you want people and we are fortunate enough to have people in this community who are not only Coral Gables residents, but also happen to be directors at museums. That type of free, by the way, they are working for free on behalf of the City, that type of free expertise and guidance is something that we shouldn't just scoff at. I think that we should say OK, they came, they gave up of their time, we are extremely grateful for that, and we should be very careful when we start telling people that we should just put lay people. And I'm going to be the first person to say this on the Commission; I don't want lay people working when we are discussing about street closures or infrastructure upgrades and whether RFQ's are being chosen for our new Fire Station, let's put a lay person there who may not understand how procurement works. I think that that is a detriment to the City as-a-whole. You have people making decisions who are not aware, who do not have any pertinent experience, this is across the board, legal expertise, medical expertise, engineering, real estate, we need to be very, very careful with the people that we put on boards, because they are making recommendations to this Commission.

Mayor Cason: Before we conclude this...in 2007 it was a unanimous decision by the Commission at that time to create the Arts Advisory Board and the Cultural Advisory Board for Art in Public Places. It was their decision, they decided to have art experts that's what we have, that's the process. If somebody on this Commission wants to make a motion at some point to change that, do it, but that's the process we have and you need 20 percent of the registered voters in order to get this on to the ballot in April. So you have, I think tomorrow is the deadline for the certification of the signatures that you presented and you will have, I think, another 30 days and

if you get another 96 percent of the registered voters that you don't have, then we will go by the rules. So thank you. Thank you very much.

Ms. Ramudo: Absolutely. I have one last comment for all of you to consider. The RFQ guidelines were not followed and none of you have addressed that. Thank you.

Commissioner Keon: I don't understand. I'm having trouble following you on that, that the RFQ guidelines weren't...

Vice Mayor Quesada: She is saying the way it was described to the artist.

Ms. Ramudo: Correct.

Vice Mayor Quesada:... Was not complied with for the final decision.

Ms. Ramudo: Absolutely.

Commissioner Keon: You know, I did come into the City and I wanted to listen to Ms. Aycock's presentation at the museum and I ended up here at City Hall and talking to people and didn't have time to go, but I did go later, and the boards and everything was still up from her discussion; and I found in reading the boards that were there that were part of her discussion is that just like we have said, that art-beauty is in the eye of the beholder. According to what is written there in her statements were that she did see – what she saw was the beauty of the flora, the fantasy of the passion flower, so in her mind and from her explanation she did express what was asked for in the RFQ. Now another artist looking at it differently, maybe with a different background, maybe with different experiences, you know might see something different if they visited here. I think we have had discussions about how we so often see, people want to do things that are related to the oceans, when they see rays, and they want to see coral rock, and they want to see whatever, because people come from other countries and what they see is the beauty of our water, and so that's what they want to create when they are looking at an art piece in our City. So I do think that the artist did I think what was presented to her, what was asked of her, I think she did. What she came up with was probably not what someone else would have come up with, but it is what she came up with, so I think that she did that.

Ms. Ramudo: Commissioner, the RFQ reads, Mediterranean Revival architecture...

Commissioner Keon: No it says...

Ms. Ramudo: It reads heritage, it reads European aesthetic experience, it reads history of the City. If any of those...

Commissioner Keon: Ms. Ramudo, I think – I read the words from the RFQ and what was talked about where it says Mediterranean heritage and Revival and whatever, was a description of the City. It wasn't asking for the artist to use that. What it is in the RFQ, if anyone chooses to read it, when you read the information it is a description and a background on the City of Coral Gables.

Ms. Ramudo: And before that description it reads, your work should reflect the unique sensibility of the City's aesthetics, and it goes on...

All: Inaudible.

City Manager Swanson-Rivenbark: Mr. Mayor the conversations are going to be very difficult to transcribe and it's important that people speak once at a time.

City Attorney Leen: We also have the civility code that the Mayor is...

Mayor Cason: I think that we've had a very thorough discussion, much longer and no action was going to be taken. This was accepting a resolution from the Arts Advisory Panel signing on to this work and where it is. So we've had that; we've had a very good discussion. I appreciate it. Thank you.

Commissioner Keon: I think Mr. Rodriguez has asked to speak.

Mayor Cason: Do you have a card?

Commissioner Keon: Did you fill out a card?

Commissioner Lago: Just take one, just fill the card out.

Commissioner Slesnick: May I make one comment to Commissioner Lago about City Boards. I appreciate the experts being on City Boards like the Historic Preservation, you have to have one historic architect and so forth. One reason why we have a development coming today without a pass from the Planning and Zoning Board; the Planning and Zoning Board used to be comprised of attorneys and a former nurse and more civilians, more people that weren't so involved technically in the Planning and Zoning process. So the Planning and Zoning Board, because so many people have to recuse themselves, because they have projects on the Planning and Zoning Board coming up for approval that they have to recuse themselves. We only had a 3-1 vote on

the last Planning and Zoning Board, so it is coming to our attention because the Planning and Zoning Board has too many people on it that are actually involved in the process; and so I do like more lay people and 10, 20, 30 years ago there were more people – bankers, there is one banker on the Planning and Zoning Board, but bankers and nurses and people that were concerned about the community on the Planning and Zoning Board. So there is room for other people that aren't all involved in that specific aspect.

Mayor Cason: But the 2007 decision to go this way would have to be changed, otherwise...

Commissioner Slesnick: And maybe we should do that.

Mayor Cason: That's something for the future. Please very quickly.

Mr. Rodriguez: Yes, I'll be brief. My name is Frank Rodriguez, 255 Alhambra Circle is my office, 900 Coral Way is my home. I just want to make a couple of quick comments. I think this discussion is somewhat premature, because we have the committee and the persons that are against the sculpture or want to remove the sculpture or move it has obtained 1,500 votes. As I understand the process, and the City Attorney can correct me if I'm wrong, we have another month and it remains to be seen how many votes will be ultimately collected. I also want to correct...

City Attorney Leen: That's true.

Mr. Rodriguez: City Attorney you can correct me if I'm wrong.

City Attorney Leen: You have 30 more days.

Mr. Rodriguez: OK. You can correct me if I'm wrong, because Commissioner Lago made a comment about this is a democracy and we can't make exceptions and this is how it works. Well it's not really an exception, because as I understand the process and City Attorney, Mr. Leen, please correct me if I'm wrong, the way the process works is, an issue comes before the Commission, votes are collected, in this case 1,500, who knows how many will be collected at the end of another 30 days; and then if its 6,000 votes it's out of the City Commission's hands. It has to go to the ballot, is that...?

City Attorney Leen: No, no, no, it comes back before the Commission and the Commission can do one of two things; the Commission can elect to enact the petition or the Commission can place it on the ballot.

Commissioner Lago: It's my understanding too it's not 6,000, its 6,500.

Commissioner Slesnick: 6,130 or so.

City Attorney Leen: I want the record to be clear, it's very important. Mr. Clerk what is the number?

City Clerk Foeman: 6,133.

Commissioner Slesnick: 6,133.

Commissioner Lago: And it's my understanding that you haven't collected 1,500 signatures. I think it's like 1,400 and something.

Mayor Cason: 1,441.

Commissioner Lago: And they still have to be ratified and once they get ratified you'll probably have some time where – not all of them would be ratified. It happens.

Mr. Rodriguez: If its 6,100, as I understand it, the City Commission has one of two options. It can put it on the ballot or it can enact whatever the petition is soliciting, do I have that right?

Mayor Cason: That's right.

Mr. Rodriguez: OK. So it's not an exception, because the Commission has the authority and the power in the face of 1,500, in the face of 3,000 votes, 2,500 votes, whatever it is, you have 2,500 of the registered voters of Coral Gables when in fact, I think about 7,800 voted in the last election are requesting an action by the Commission, and it's up to the Commission to determine, totally up to the Commission.

Mayor Cason: That's correct and that was the point you made last time. So we understand that.

Mr. Rodriguez: My issue Mayor, is if there are comments that are being made by the Commission that the Commission is making an exception, because it's not – 6,000 votes, it's not an exception, because the Commission has –

Mayor Cason: I understand.

Mr. Rodriguez: I just want everybody to know exactly how it works, because if 3,000 petitions come before the Commission or 2,500 or whatever it is, then the Commission can take action if it wants to, you don't have to have 6,100.

Mayor Cason: That's correct. That's correct.

Mr. Rodriguez: And that's the way a democracy, respectfully Commissioner Lago, that's the way a democracy works. The people are heard and then decisions are made by the elected politicians.

Mayor Cason: Some of the people are heard.

Mr. Rodriguez: Excuse me?

Mayor Cason: Some of the people are heard.

Mr. Rodriguez: And by the way Mr. Mayor, respectfully I would take exception. It is not the case that if 1,500 people have signed a petition that every other registered voter in the City of Coral Gables favors.

Mayor Cason: Of course not, of course not. But during your month campaign or whatever the length of the campaign, despite of everything that you did, did not sign it, so that's my only point. Any other point you want to make?

Mr. Rodriguez: Yes. I want to say that as far as, certainly speaking for myself, not for anybody else that I commend the work of the Art Committee. I'm very grateful for the amount of work and the dedication on their part and to me, I'm not here throwing rocks, I think it is premature, it is at this point premature, because the process isn't over, it's halfway over. Thank you.

Mayor Cason: Thank you.

[End: 10:56:03 a.m.]