

**City of Coral Gables City Commission Meeting**  
**Agenda Item F-4**  
**January 28, 2020**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Raul Valdes-Fauli**

**Vice Mayor Vince Lago**

**Commissioner Pat Keon**

**Commissioner Michael Mena**

**Commissioner Jorge Fors**

**City Staff**

**City Manager, Peter Iglesias**

**City Attorney, Miriam Ramos**

**Assistant City Attorney, Gus Ceballos**

**City Clerk, Billy Urquia**

**Assistant Historic Preservation Officer, Kara Kautz**

**Public Speaker(s)**

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Agenda Item F-4 [3:06 p.m.]

An Ordinance of The City of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, Article 3, “Development Review”, Section 3-606 to include Dade Heritage Trust, Inc. as party that may appeal decisions of The Historic Preservation Board; providing for a repealer provision, severability clause, codification, and providing for an effective date. (01 08 2020 PZB recommended denial, Vote: 4-2)

(Sponsored by Vice Mayor Lago)

(Sponsored by Commissioner Mena)

**City Attorney Ramos: F-4, Mayor?**

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Mayor Valdes-Fauli: Yes.

City Attorney Ramos: F-4 is an ordinance of the City Commission of Coral Gables, Florida, providing a text amendment to the City of Coral Gables Zoning Code, Article 3, "Development Review", Section 3-606 to include Dade Heritage Trust, Inc. as a party that can appeal decisions that the Historic Preservation Board; providing for a repealer provision, severability clause, codification, and providing for an effective date. Mr. Ceballos.

Assistant City Attorney Ceballos: Good afternoon, again. So, as -- if you can recall, this item came before you slightly varied. It was originally going to be an aggrieved party definition that was going to be modified in our Code to allow for Dade Heritage Trust. Following the request of the Commission, we've modified that. I've brought it back on first reading because it's such a significant change from the first reading. So, this one was basically -- as described, it amends 3-606, creates a small carve out that allows Dade Heritage Trust, only Dade Heritage Trust, to be considered a party that may file an appeal of a decision of the Historic Preservation Board. It went before Planning and Zoning a little bit out of turn. It wouldn't before. Planning and Zoning voted 4-2 against Dade Heritage Trust being added. They predominantly were just concerned that it may open up a can of worms allowing Dade Heritage Trust. Maybe other individuals and other parties would be allowed as a party, and they were concerned about it and their recommendation was to deny. If you have any questions, please let me know.

Mayor Valdes-Fauli: I agree with that. And why Dade Heritage Trust? I mean, yes, they have the expertise, but they don't have the knowledge of Coral Gables history, Coral Gables tradition, Coral Gables, whatever. And they may be from North Miami Beach and from wherever. I am against any changes that take the authority, power and dignity away from our Historic Preservation Board. We do a very good job choosing the right candidates in the right professions in our Historic Preservation Board. And allowing appeals other than our staff and Commission, I guess, other

than that makes us the Historic Preservation Board and I don't think that that's our proper role. And I think that soils the authority of the Historic Preservation Board.

Vice Mayor Lago: Mayor, before I make any comments, I'd like to see if Kara would like to come up and just give us her opinion in regards to that. The good, the bad, and the ugly. What is your opinion? Talk to me a little about why this is something that you think would be of good business for the City.

Assistant Historic Preservation Officer Kautz: Well, there are -- we had chosen Dade Heritage Trust -- and I brought this up at the last -- when this came up the first time -- because they are a long-standing organization that's staffed by professional staff as opposed to some of the other volunteer organizations. Yes, their board is made up of volunteers, but they do have professional staff on board that provides a point and counterpoint to every issue that's brought before them, which is why we narrowed it down to that organization.

Mayor Valdes-Fauli: Yeah, but we did that as a compromise and allowing somebody to appeal. But that wasn't the initial proposal at the time.

Assistant Historic Preservation Officer Kautz: Correct. I'm...

City Attorney Ramos: You should also remember that aggrieved parties, anyone within a thousand feet, can also appeal already as it stands.

Assistant Historic Preservation Officer Kautz: Correct. And that is the standing -- and I believe part of the discussion when this was at the Commission last time was that the portion that you were also considering changing was the time period that staff had after an appeal had lapsed. So, I think as a matter of process moving forward, we will take the appeal role forward as opposed to, you know, just waiting for someone in the public to do so.

Mayor Valdes-Fauli: (INAUDIBLE).

Assistant Historic Preservation Officer Kautz: Correct. If we...

Mayor Valdes-Fauli: Aggrieved parties, but...

Assistant Historic Preservation Officer Kautz: If we feel that it needs to be, we can take it forward ourselves.

Commissioner Fors: So, you -- Kara, just to be clear, you chose Dade Heritage Trust because you were tasked with choosing someone, right?

Assistant Historic Preservation Officer Kautz: Well, it was the recommendation of Dona's, yes, so I'm taking it forward on her stead.

Commissioner Fors: What about the general idea of granting standing to somebody outside or an organization outside of...

Assistant Historic Preservation Officer Kautz: Other municipalities have it both ways. I think the City of Miami has language in their Code that talks to any organization -- 501(c)(3) organization that has preservation as its mission or in its mission statement. We were just being more specific than that. Cities like Savannah and Charleston, which were the two that were included in your packet, their appeals state that it's just any aggrieved party, much like ours is now. So, it goes both ways. You can have it either way.

Assistant City Attorney Ceballos: And the original inter -- the original version that came before you last meeting was specifically in line with the Miami one, and I also just want to make sure that something is clear. The 72 hours, the additional window, that already got approved on first reading and that's going to come back on second reading the next meeting. So, that is a second item

Mayor Valdes-Fauli: I am against anything that takes the dignity of the Historic Preservation Board away. I'm for appeals by your staff and for appeals by aggrieved parties, but why the Dade Heritage and why...

Vice Mayor Lago: Mayor, I don't...

Mayor Valdes-Fauli: (INAUDIBLE) neighbor.

Vice Mayor Lago: Mayor, I don't think it takes the dignity away from the board.

Mayor Valdes-Fauli: I think it does.

Vice Mayor Lago: I think...

Mayor Valdes-Fauli: And it makes us the board.

Vice Mayor Lago: Listen, I think what it ends up having is another set of eyes and ears who are qualified, who are much more qualified than I am in regards to historic preservation and I think the Commission is. Even though we may be the final arbiter on this matter or whatever may be presented before us, I think it's just another set of eyes and ears that are qualified. They can give us their opinion in reference to certain property that should be or should not be designated as historic. I don't have any issue with it. I mean, obviously, that's why I sponsored it -- cosponsored it with Commissioner Mena.

Commissioner Keon: Yeah. I don't think that -- I agree with the Mayor. I don't think Dade Heritage Trust needs to be on there either. I think as long as staff and any -- as long as we added staff, that's adequate to ensure that we don't get into the same situation that we did before. You know, I think Dade Heritage Trust has a purview over Miami-Dade County, where I think that

ours is a little more specific and it's more specific to the City of Coral Gables. And I think that's fine. I think it's appropriate and I don't think it needs to go beyond that. I don't -- and I also don't want our...

Vice Mayor Lago: Could I ask you a question?

Commissioner Keon: I don't want those issues...

Assistant Historic Preservation Officer Kautz: I would not be (INAUDIBLE).

Commissioner Keon: Decided by outside.

Assistant Historic Preservation Officer Kautz: From my own personal opinion as staff, I would not want to open it up to...

Commissioner Keon: Anybody else.

Assistant Historic Preservation Officer Kautz: That broad definition of a charitable organization that has mission statements...

Commissioner Keon: Right.

Assistant Historic Preservation Officer Kautz: Presentation -- I think that's...

Commissioner Keon: Bu I don't think the Dade Heritage Trust...

Assistant Historic Preservation Officer Kautz: Far too broad.

Commissioner Keon: I mean, Dade Heritage...

Assistant Historic Preservation Officer Kautz: I think...

Commissioner Keon: Trust right now, you know, has a particular mission, and it has changed over time and they have evolved over time. And they have the freedom to become whatever kind of preservation group they choose to be and we don't have any control over that. So, I don't want to get to a point where, as they evolve or they change, then you'd have to go back and deal with them because it is a different entity than what you had before. So, I would -- yeah, that's why I would just leave it with staff.

Vice Mayor Lago: Can you give me your opinion as a person who's a little bit more well versed in regards to Dade Heritage Trust? I don't have the background with Dade Heritage Trust.

Mayor Valdes-Fauli: No, but Dade Heritage Trust...

Vice Mayor Lago: Can you give me a little background in regards to -- because Commissioner Keon made some comments about that they're more geared towards the County versus...

Commissioner Keon: Oh, no.

Assistant Historic Preservation Officer Kautz: They have oversight over...

Commissioner Keon: Not more the County. It's just that they have...

Assistant Historic Preservation Officer Kautz: Over entire Miami-Dade.

Commissioner Keon: (INAUDIBLE).

Vice Mayor Lago: I can't hear you.

Assistant Historic Preservation Officer Kautz: It's okay. They have oversight over -- they get involved in everything in Miami-Dade.

Vice Mayor Lago: No, no, and just...

Assistant Historic Preservation Officer Kautz: They have been doing a lot of work lately in Little Haiti, you know, where they're -- where they feel -- wherever they feel sort of things were threatened is where they tend to move. It doesn't preclude any of the local organizations from, you know, pairing with them to take things forward. So, the Villagers or Historic Preservation Association maybe don't have the resources or the staff support or the professional support, they could partner with Dade Heritage Trust to, you know, bring an appeal forward. It doesn't preclude any of the local groups from doing that. It's just a mechanism through which they could do an appeal.

Vice Mayor Lago: Do you and your department view -- and again, because I'll remove it. I'll remove the language obviously from the ordinance. But do you believe that Dade Heritage Trust brings value as an opportunity here to get involved?

Assistant Historic Preservation Officer Kautz: I do. They're a well...

Vice Mayor Lago: Because I...

Assistant Historic Preservation Officer Kautz: They're a very well-respected group, and I -- like I had mentioned before...

Vice Mayor Lago: As long as they bring value, then I would love to have them serve the City.



Assistant Historic Preservation Officer Kautz: Yeah. And they don't take sides without hearing from both parties, which is, important. Their board gets vetted on an issue on both sides before they decide to take any issue forward, which I think is really important as opposed to just going after every preservation issue as it comes up.

Vice Mayor Lago: But even though they've -- even though they're involved throughout my Miami-Dade County, do you believe that they have specific knowledge of our background, of our specific background and how important -- George Merrick's vision, you know...

Assistant Historic Preservation Officer Kautz: Absolutely.

Vice Mayor Lago: Fink, all the important...

Assistant Historic Preservation Officer Kautz: Yeah. Their memberships...

Vice Mayor Lago: Individuals.

Assistant Historic Preservation Officer Kautz: Our -- two of our board members, current board members, are on their board currently. Dona Spain, who (UNINTELLIGIBLE), is on their board and set to be president, I believe, next year.

Vice Mayor Lago: Oh, okay.

Assistant Historic Preservation Officer Kautz: So, they are -- they do know what's going on here. So, it's not like they're operating in a void.

Commissioner Mena: I liked the -- I personally like the fact that it's not an exclusively sort of Coral Gables centric organization.

Commissioner Keon: Yeah.

Commissioner Mena: Because I think you get a broader perspective on the historic merit of the properties as opposed to if you're only focused on Coral Gables you have a little bit different of a mission statement, if you will, so I like that fact. To me, it's just an extra set of eyes and ears to appeal something. We've had that situation come up recently where staff didn't appeal something. And the idea here was to have, again, another outlet that could appeal to us. At the end of the day, it's still going to be our decision. So, I'm comfortable with that. So, that's why I support it.

Vice Mayor Lago: Do you want to make...

Mayor Valdes-Fauli: I think that it takes the dignity away from our Historic Preservation Board, but will you make a motion?

Commissioner Mena: I mean, I don't -- at that -- if you think appealing takes away the dignity, then you wouldn't have any appeals.

Mayor Valdes-Fauli: By a third party not associated with our -- there may be very, very knowledgeable. Let's give the Smithsonian the authority to appeal. Will you make a motion?

Commissioner Mena: I'll make the motion.

Vice Mayor Lago: I'll second the motion.

Mayor Valdes-Fauli: Okay. Will you call the roll, please?

Vice Mayor Lago: Yes.

Commissioner Mena: Yes.

Commissioner Fors: Yes.

Commissioner Keon: Yes.

Mayor Valdes-Fauli: No.

(Vote: 4-1)

Mayor Valdes-Fauli: Alright.

Commissioner Fors: And I just want to note just for -- this is on first reading, right, so...

Vice Mayor Lago: Yeah.

Commissioner Fors: I'm still a little torn on it so I'm going to continue to think about it between now and second reading.

Commissioner Keon: Yeah. What -- did Dade Heritage Trust weigh in on the LaSalle building?

Assistant Historic Preservation Officer Kautz: I don't remember. I can go back and check. I don't remember.

Commissioner Keon: Could you go back and check?

Assistant Historic Preservation Officer Kautz: Um-hum.

Mayor Valdes-Fauli: Alright. Next item is...

Commissioner Mena: Thank you.

Vice Mayor Lago: Thank you very much.

Assistant Historic Preservation Officer Kautz: Thank you.

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