

City of Coral Gables City Commission Meeting
Agenda Item E-1
January 14, 2025
Police and Fire Headquarters
2151 Salzedo Street, Coral Gables, FL

City Commission

Mayor Vince Lago
Vice Mayor Rhonda Anderson
Commissioner Melissa Castro
Commissioner Ariel Fernandez
Commissioner Kirk Menendez

City Staff

City Manager, Amos Rojas, Jr.
City Attorney, Cristina Suárez
City Clerk, Billy Urquia
Deputy City Attorney, Stephanie Throckmorton
Historical Resources & Cultural Arts Director, Anna Pernas

Public Speaker(s)

Mario Garcia-Serra
Richard Heisenbottle
Willy Bermello
Alex Adams
Nelson de Leon
Jackson “Rip” Holmes
Ron Shuffield
Karelia Carbonell

Agenda Item E-1 [1:50 p.m.]

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on October 16, 2024, to designate the property located at 1414

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Agenda Item E-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on October 16, 2024, to designate the property located at 1414 Galiano Street, legally described as Lot 12 & E 15ft, Lot 13, Block 32, Coral Gables Douglas Section, according to the Plat thereof, as recorded in Plat Book 69, at Page 25, of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Galiano Street, legally described as Lot 12 & E15ft, Lot 13, Block 32, Coral Gables Douglas Section, according to the Plat thereof, as recorded in Plat Book 69, at Page 25, of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Lobbyist: Mario Garcia-Serra

Mayor Lago: Welcome back. Time certain, 1:30 p.m., Item E-1. Madam City Attorney.

City Attorney Suárez: Thank you, Mayor. Item E-1 is an appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on October 16th, 2024, to designate the property located at 1414 Galiano Street, legally described as Lot 12 and the east 15 feet of Lot 13, Block 32, Coral Gables Douglas Section, according to the Plat thereof, as recorded in Plat Book 69, at Page 25, of the public records of Miami-Dade County, Florida, as a Local Historic Landmark. This is a quasi-judicial item. Mayor and Commissioners, pursuant to Section 14-208.6 of the City's Zoning Code, this appeal is based on the record of the hearing before the Historic Preservation Board and shall not be a de novo hearing. What that means is that no new or additional testimony shall be taken. This is an appeal based only on the record. As a reminder, your role in considering this appeal is one, whether due process was afforded; two, whether the Historic Preservation Board's decision was based on competent, substantial evidence; and three, whether the essential requirements of law were met. The Commission's role is to determine whether the Zoning Code was followed and whether competent, substantial evidence supported the decision of the Historic Preservation Board approving the request for historic designation. After the City Commission's review, the City Commission has four options provided in the Zoning Code. One, the City Commission can affirm the decision of the Historic Preservation Board, which in this case designated as a Local Historic Landmark, the property located at 1414 Galiano Street. Two, the City Commission can affirm the decision of the Historic Preservation Board with conditions. Three, the City Commission can override the decision of the Historic Preservation Board, which in this case would mean the property shall not be designated historic. Or four, the City Commission can remand for further proceedings to the Historic Preservation Board. The Mayor, as chair of the City Commission, with me as parliamentarian, has issued a procedural order that was provided in advance to the Commission and the parties. Pursuant to that procedural order, the appellant will be allowed 30 minutes for presentation, which shall be limited to the record before the Historic Preservation Board. Next, the Deputy City Attorney, as counsel for the Historic Preservation Board and the Historic Preservation staff, will be allowed 30 minutes for presentations, also limited to the record below. Next there will be time for questions by members of the City Commission to staff or the parties, and then public comment will be allowed, but will be limited to two minutes per speaker. Because the review of this appeal is not de novo, the public comment shall not be considered testimony in this case. Finally, there will be time for additional questions and discussion by members of the City Commission. As a reminder, this is a quasi-

judicial item, so any inadvertent ex-parte communication should be disclosed. And with that, Mayor, I think we can hear from the appellant.

Mayor Lago: Yep.

Commissioner Castro: There was ex-par -- I'm sorry, there was ex-parte communication through email.

Vice Mayor Anderson: Same here. I received emails.

Commissioner Menendez: Same as well.

City Attorney Suárez: Can those be just forwarded to the Clerk for the record? Thank you.

Commissioner Castro: Yeah.

Mayor Lago: Mr. Garcia.

Commissioner Fernandez: I did as well, and I think most of them were copied to the Clerk, but I'll check and see what wasn't copied.

Mayor Lago: Mr. Garcia-Serra, good afternoon.

Mario Garcia-Serra: Good afternoon, Mr. Mayor and Commissioners. For the record, Mario Garcia-Serra, with offices at 600 Brickell Avenue, here this afternoon representing CREH Galiano, LLC, the owner of the building at 1414 Galiano Street. The principals of that entity are a married couple, Danielle Gonzalez and Todd Rubinstein, who are with us today. I'm also joined by our expert witnesses, Richard Heisenbottle and Willy Bermello, who you will hear from shortly. What we're asking you to decide today is whether the Historic Preservation Board was correct in designating this building as a historic landmark. The answer to that question, we strongly feel, is an unequivocal no. Historic designation is a forever decision. It means that this building, which must still be in existence 1,000 years from now, for the sake of preserving the community's history. The law requires that not just any property, but only buildings of significant value merit designation. As we will demonstrate, the Board did not follow that threshold significance requirement, nor did it have competent, substantial evidence to support their decision. Let's first establish exactly what the Board decided. Nina, if you can go ahead and play that clip. This is the motion that was actually approved by the Board.

At this time, an audiovisual presentation was made.

Mr. Garcia-Serra: So, I'll go ahead and read the motion. I'll go ahead and repeat it due to audio difficulties. It was a motion to approve the local historic designation of the property at 1414

Galiano Street based on the historic cultural and architectural significance, specifically that it exemplifies the historical, economic and social trends of the community, and it embodies the distinguishing characteristics of an architectural period. That's at Page 90 and 91 of the transcript. If you could go on to the next slide. So, the Board's vote to approve the designation was 100 percent based on the premise that this building reflects a point in time in the history of the City, namely the 1930s Great Depression era and an architectural period, in particular, the period when buildings in Coral Gables started to transition from Mediterranean Revival style of architecture to other forms of architecture. The error of the Board was that it did not find that the building reflects history or an architectural period to a significant manner or degree. This is very important. If you could go on to the next slide. So, what do we mean? Here's the code provision that governs designation. So, you can see there's a highlighted section there at the top that requires a threshold finding of significant value. The other criterion that follow, the ones that are highlighted, are the ones that the Board cited as part of their historic designation; talks about exemplifying historic cultural and economic trends and embodying certain architectural styles or period. And the Board importantly did not cite architectural style; they cited an architectural period. But trying to apply those two criteria, those lower criteria, without considering the threshold factor of significance renders them meaningless. Every building represents or reflects the time in which it was built. It needs to be a significant representation, exemplification, or embodiment of that time in history. And we simply think that is not the case here, nor was there sufficient information in the record to support that determination and that designation. If we can, let's go on to the next slide. Here, this slide is discussing what is the standard of review, the standard that you have to be deciding whether the Board made a correct decision or not. As you can see, the criterion are whether due process was afforded, whether the decision was supported by competent, substantial evidence, and whether the decision complies with the essential requirements of the law. By not applying that threshold significance requirement that I just pointed out to you, the Board did not comply with the essential requirements of the law, and by discarding architectural style as a factor, which we will discuss further later, the Board simply did not have sufficient, competent, substantial evidence to support their decision. When one takes away the style considerations, what is left is that this building reflects the time in which it was built. Again, this can be said of any building. However, just saying it's significant is not enough. There needs to be competent, substantial evidence. The Board's finding that the building is not a great example of Mediterranean transition architecture directly contradicts its supposed historic importance. The fact that its style was not repeated or imitated and that it was never recognized as a particularly unique or innovative building leads to a conclusion that the building may reflect history, but on its own, it is not historically significant. With that said, I'll hand it over to Mr. Heisenbottle, who is going to continue the presentation.

Mayor Lago: Good afternoon, sir.

Richard Heisenbottle: Good afternoon. Good afternoon, Commissioners and Mr. Mayor. As you know, Section 8-103 of the Coral Gables Zoning Code establishes, as Mario said earlier, two threshold criteria for historic designation. The first is buildings of national, state, or local importance are of historic significance if they possess integrity of location, design, setting,

materials, workmanship, and association. And two, to qualify for designation as a Local Historic Landmark, individual properties must have significant character, interest, or value as part of the historical, cultural, archaeological, aesthetic, or architectural heritage of the city, state, or nation. These are the initial criteria for evaluating significance as the threshold that a property must meet before proceeding to the next phase of the eligibility discussion and assessment. In my professional opinion, 1414 Galiano does not meet the initial threshold criteria for the following reasons. It has compromised design integrity. Its significant alterations have made the property compromising its design integrity and diminishing its historical significance. And two, because it lacks significant -- and that's going to be an important word throughout this -- character, interest, and value as part of the historical, cultural, aesthetic, and architectural heritage of the city, state, or nation. Despite this lack of meeting the initial criteria, staff proposed that the property met the criteria and suggested its eligibility as a Local Historic Landmark on the purported historical, cultural, and architectural significance, citing the following criteria. Historical cultural significance is exemplified the historical, cultural, political, economic, and social trends of the community. And B, architectural significance portrays the environment in an era of historic -- of history characterized by one or more distinctive architectural styles. And it embodies those distinguishing characters of an architectural style, period, or method of construction. Both of these were flawed. During this deliberation at the Board, the Board struggled to justify the property's designation under the architectural criteria. They were very careful to make, as the chairman said, a surgical motion. You guys make surgical motions here? I -- once in a while, huh? Anyway, a surgical motion to approve the local historic designation of the property based on historical, cultural, and architectural significance. Specifically, that it exemplifies the history, economic, or social trends of the community and embodies the distinguishing characteristics of an architectural period. Now I want you to note that they were very careful to surgically remove Criteria 1, which portrays the environment in an era of history characterized by one or more distinctive architectural styles. The Board discussed what staff called Mediterranean Transitional style and acknowledged that it needs to be better defined in the future. Quoting Historic Board Member Silva, quote, "In all honesty, I think we need to define that Mediterranean Transitional a little better moving forward. If not, we will keep kind of having the same discussion over and over again," end of quote. And then Board Member Banos, quote, "There has to be a clear definition of that style," end quote. Hence, there is a significant doubt amongst our board members that Mediterranean Transitional is, in fact, a distinctive style at all. So, the Board chose Criteria 2, the most ambiguous criteria that we have. Citing that the property embodies the distinguishing characteristics of an architectural period. So, the first question you need to ask yourselves this afternoon is, what is the architectural period? I'm -- I'm at a loss. And the second question you might ask is, what are the distinguishing characteristics of that architectural period? Neither the staff nor the Board describes the distinguishing of the period beyond saying, "Primary during the 1930s and early 1940s," end quote. It seems that the distinguishing characteristics of the period 1930s encompasses all the known architectural styles that we see every day, including Modernist styles, Art Moderne, Art Deco, Minimal, Traditional, Ranch, International, anything. Moreover, the character defining features in the local designation report concerning the Mediterranean Transitional style are inconsistent. This reveals the City's difficulty in identifying a clear set of character-defining

features for this ambiguous architectural style, which is why the Board avoided the discussion of style criteria. For 1414 Galiano to qualify under Criteria 4 for historical and cultural significance, the property would need to exemplify one or more of the community's historical, political, economic, social trends in a significant way. That's the important word there. In the significant way. In what significant way, I ask? The designation report replaces -- places the property within the Coral Gables second development phase -- 1927-1944, you all know it -- citing the influences of the 1926 hurricane and the Great Depression, the New Deal wartime activities as general trends. Yet, it does not provide significant evidence for linking the property to any significant cultural or economic trend within the period. For instance, while the designation report mentions a construction slowdown and subsequent uptick during the 1930s, it provides no basis to claim that the property represents a distinctive trend significant enough to merit historic designation. The description of the structure as a distinct departure, and quote, "from the Mediterranean Revival style leaves us with a critical question. Was this departure due to historical, cultural, political, economic trends, aesthetic choices or some other outside influence altogether?" The board and the staff failed to substantiate any definition rationale for Criteria 4. Staff also points to the environment -- to the involvement of notable figures like Phineas Paist and J. W. Ricketts as evidence of historical significance. While their roles in Coral Gables' development are undeniable, the property does not singularly exemplify a trend in the City's history that warrants landmark status. Briefly mentioning the history of the Douglas Section, the impact of the 1926 hurricane, the Great Depression, the New Deal, public relief, and saying it was designed by Phineas Paist and Steward is not enough to prove that 1414 Galiano was part of a historical, cultural, political, or economic, or social trend. The Works Progress Administration, WPA, architecture that you're seeing on this slide, is an excellent illustration of what it means to embody the distinguishing characteristics of an architectural period. The New Deal era, specifically the 1930s, is a well-defined and recognizable period of American architectural history. WPA architecture is directly tied to this era. Coral Gables has significant examples of WPA architecture that have been designated as historic landmarks because they aesthetically reflect the period and the style. These buildings retain their original integrity and represent the economic, social, and cultural trends of the New Deal era. Understanding that a distinctive style is out of the question here, and that we struggle to define distinguishing characteristics of a period, what is the Board designating and why? Is Galiano being designated simply because it was built in the 1930s? If that is the case, everything in the 1930s and '40s can be designated just because they were built during the Depression and the war period. Moreover, if we apply the criteria of the Douglas Section to the Douglas Section, everything could be designated because the vast majority of the buildings in the Douglas Section are over 50 years old. Thus, the whole area could technically be considered historically based -- historical based on the architectural period. This is a dangerous precedent and being built in the 1930s cannot warrant historic designation. So, why has the Board and the staff failed to acknowledge that this building doesn't meet the two initial criteria? Why are we putting so much effort into an altered building? Is it because Paist's name and Steward's name are on the permit? If so, then you should know that Paist died shortly before this building was even built, after a lengthy illness, and it is highly unlikely that he had anything to do with this particular design. We respectfully urge that the Commission reconsider the designation of 1414 Galiano,

focusing on the properties with significant character, interest, and value that genuinely reflect our Coral Gables history, culture, and architectural heritage. Thank you for your attention, everyone.

Mayor Lago: Thank you, sir.

Commissioner Castro: Thank you.

Mr. Garica-Serra: Thank you very much, Rich. Now, I'll ask Willy Bermello to come up and just provide some of his testimony based on his review of the record.

Willy Bermello: Mr. Mayor, members of the Commission, Madam Vice Mayor, Willy Bermello, address at 1238 Malaga, and corporate headquarters at 4711 South Le Jeune Road. We should be here before you today because of the photo that you have on the -- on the screen. That's typically the reason why properties receive a historical designation. There's something unique, there's something worthy, and you can see that worthiness simply by looking at a photo or by visiting the actual building. It jumps at you. You sense that there's something special and worthy of preservation. That is not why we're here. So, I'd like to cut through the shades and get through all the noise because there's only one reason, only one reason, why staff and everybody else leading up to the Board worked many hours to try to have this designated. Next slide, please. That's the reason that we're here. A title block. That's the title block of Phineas Paist and Steward. Now, as an architect of 47 years practicing in South Florida, and 32 years as Bermello Jaramillo and Partners, I can tell you that over the last 32 years, we've done over 2,000 projects, but only 15 percent of those that I put my fingers and hands on them. There's another 85 percent that might have had the title block, but I can assure you with all sense of accuracy that it never touched me, I never touched it, and it had nothing to do with my contributions to it. But the only reason that we're here is not because of that building at 1414 Galiano. The only reason that we're here, once you cut through all the noise and all the fanfare that's been created to try to designate this structure, the only reason that it caught the eye of the City and the staff is because of that title block. Because if you go back to the different Janus reports that this City paid for, you will see in the two surveys done for the Historic Preservation Board that none of them, none of them identified this property as being worthy of designation. Now, and my colleague mentioned this and it's very important. Phineas Paist passed away three months before this building was built. I can tell you that when you're in your deathbed, you're not thinking about payroll, and the last thing you're thinking about is a building that's about to be built, that the chances are that he even saw it or had his fingers on it are one out of a million. But that's why we're here, because of the title block, not because of what that building represents. Now, different communities have dealt throughout history with situations like this. Back in the 1950s, Minoru Yamasaki, highly respected architect, designed Pruitt-Igoe in St. Louis, Missouri. Can you put the slide up, please? It was part of an experiment in America at that time, representative of urban renewal. It represented the most forward thinking in the 1950s. But guess what? That thinking went bad. And it created one of the worst slums in all of America. And 24 years later, Pruitt-Igoe passed into history. Next slide. Now, different cultures and different countries deal with mistakes and areas of poverty in different ways.

Merrick's dream in 1926 was shattered by a hurricane. And a year later, the market crashed. And over the next 10, 15 years, we had a recession in this country. That was at the time that this house was built. Now, in America, we deal with poverty and with ghettos and with things of the past that you could consider mistakes, not things that represent the spirit of America in a different way. Other countries like in Brazil, you can go to Rio, and they do tours of the favelas. Next slide. I think you, as a Commission, you're speaking on behalf not just of yourself but of this community today. And what I want to present to you is that this decision goes beyond 1414. Next slide, please. Because when you decide to preserve a property, Next slide, please. Because when you decide to preserve a property that lacks worthiness under any resemblance, simply because it is representative of a period, which is not necessarily the period that we as Americans would be proud of, a recession, I think what you de facto do is to say we're creating a de facto moratorium in Coral Gables where people will stop buying for fear of what may happen when you've lowered the bar so low, so low, that at any time in history, whether it was the pandemic, the Mariel boatlift, or the 2008 crash that we had in this century, that people simply stop buying and you create negative equity throughout. I'm not so sure that this is what the preservation ordinance was meant to do. So, I submit to you -- and you know what, I've been very bothered by this, by this project, and what's happened here, because I wonder why on a year that we're celebrating the 100th anniversary of this city, a property owner, a broker, somebody thinking to move into Coral Gables can't go on a GIS map and see every single property that is historically significant or is being under consideration. And it was troubling me. And at night, I would discuss it with my wife, and you know it dawned on me why -- why that's not the case. Because it's not money. Because you could spend half a million dollars and in four or six months, you'd have a done survey and it'd be on a GIS map. It's easier to deal with these issues haphazardly, piecemeal because you may be -- at maximum, you may have 50 people that will come up. But if you had the entire community, every resident thought that their property could be downgraded the way that this one will be because I can assure you that Ms. Gonzalez and her husband would not have spent \$1.1 million on that -- buying that property if they thought that property was simply going to be restored as a cottage from the 1930s. So, I submit to you that this is beyond 1414. This is much bigger and there are a lot of people that are not here today that if they knew what you all are dealing with, they will be mighty upset. So, I ask for your indulgence and your thoughtfulness in reviewing the record because we're here not because of 1414, we're here because of the title block. And a title block where I can assure you, Phineas Paist died three months before that house was built. Thank you very much.

Mr. Garcia-Serra: Thank you, Willy. Now I will wrap up with a few remaining points. If we could go to the next slide, Nina. The importance here, you've seen this already before, but it bears repeating. The Board did not follow the staff recommendation with regards to architectural style. They specifically did not recognize that as a grounds for designation. And we can go in more detail in that if you like, but I'm conscious of the time also too. Next slide, please. So, the Board's decision was based entirely on finding that this building reflects a historic period and a period in architectural history. However, as we have already mentioned many times, this can be said of any building. Every building reflects to some extent the time period during which it was built. The

distinction and where the Board erred was in determining with the support of competent, substantial evidence that this building possesses significant character, interest, or value as part of the City's history, a threshold requirement that was pointed out by Mr. Heisenbottle, and you can see it there in the transcript at Pages 26 and 27. Next slide, please. Actually, go back to the last slide, if you can. As is demonstrated by the Board members' own words, they lost sight of the threshold level significance requirement and focused exclusively on the later listing of criteria, which when divorced from the first part, renders them meaningless. At Page 80 of the transcript, Board Member Garcia-Pons, "It doesn't have to be the best of everything. It just has to meet those criteria." That's incorrect. It needs to meet those criteria to a significant degree. At Page 80 of the current transcript, Board Member Cuervo Dunaj, "So, even though I know the argument's been made that other buildings from the era better exemplify this architectural moment, we just have to look at the building as it stands on its own." Again, incorrect. The building needs to significantly exemplify history in comparison to other buildings to determine how it ranks in significance is fair. Board Member Silva, Page 83, "The building has to pass a significance test, right? It has to be worthy of attention. And I think something we are struggling with is that this style of architecture is specifically designed to be modest and to not call attention to itself." The style of architecture, as I mentioned, was discarded by the Board as grounds for designation, but somehow the modesty of that purported architectural style is now significant enough to be the embodiment of a historic period. Lastly, on Page 82 of the transcript, Board Member Spain, "The snapshot in time that has this transitional style is important to the history of the Gables. So, I think we need to save all that there are." In response, if the intent is to save all that there are of these buildings, of this architectural period or style, which the Board determines was not a great example, then the City should be creating a district where a whole different set of standards is applicable. Upon review of the transcript, it is clear the Board was only narrowly applying criteria which when divorced from the significance requirement in the opening paragraph was so ambiguous that they can be applied to any building. Next slide. There's only two more slides. One of the board members, Mr. Banos, did recognize the last -- the lack of substantial competent evidence in the record, and I'll quote him, "I just don't think I've received sufficient competent evidence for me to make a determination that clearly, evidently, without objection modifies the rights of this applicant to the nature of this property that limits his ability to do X, Y, and Z with his property rights, and it ultimately may be a detriment to the overall historic designation in the City," at Page 88 of the transcript. And then lastly, a member of the public, but a very well-versed and expert member of the public. If you could go to the next slide. Mr. Alex Adams, who is both a neighboring resident and an expert in historic preservation, having served both on the Coral Gables Historic Preservation Board and as a Historic Preservation Officer for the City of Miami, identified the Board's error immediately in his comments, which are at Pages 60 and 63 of the transcript. "We do not want to start designating hodgepodge of styles. This is the only thing that recreates the sense of place in Coral Gables. You can go anywhere, anywhere in South Florida and see hodgepodge. There are many, many other better pieces in this neighborhood in which I live. We don't want to start describing things as, quote, 'a melding of architectural styles or a combination, multiple types on each facade.' I agree, you know, something can be significant if it is in a historic district. Something can be contributing, which is another way to say good enough, but not great.

But if we're going to have individual designations, it should be great. It should, and we have great examples in Coral Gables. This is one of the best places. So, I don't want to cheapen other existing historic buildings, and this is a cheap knockoff. It is a teardown, and it is not an example that this neighborhood wants to preserve. Please do not freeze our neighborhood." A neighbor who also happens to be an expert in historic preservation and has no affiliation with the property owner directly identified the issue. "The designation of a building needs to be premised on a finding that the building has unique and significant historical value," and that simply was not done here. Mr. Mayor and Commissioners, my client and every member of this project team has a long history in Coral Gables, and we greatly value how this city preserves its history, and we have all done our part to further that mission. But the laws which we have discussed and the process which we are going through are in place to make sure that the historic value is there and justifies this forever designation. That high threshold was not followed here and complied with, and we ask that you reverse that decision. Otherwise, not only will my client be impacted, but the overall course of historic preservation and the cause will be negatively impacted. Only those buildings which clearly satisfy that significance determination should be designated, and that is not the case here. Thank you very much. We, of course, have the whole team here available to answer any questions you might have and engage in further discussion.

Mayor Lago: Thank you, sir.

Deputy City Attorney Throckmorton: Good afternoon, Mayor, Vice Mayor, Commissioners, Stephanie Throckmorton, Deputy City Attorney. I'm not normally up before you when we have these appeals, but the Historic Preservation Board has recently requested that I, as counsel to the Historic Preservation Board, present a little bit to you about the process and how they came to the determination that they did so that their voice can be represented to you here today live at this appeal rather than just on the pages of the transcript. I'm going to address a couple of the things that Mr. Garcia-Serra and Mr. Heisenbottle mentioned, but first I just wanted to give you a brief overview of the process to address the three points that the City Attorney mentioned to you are what are before you today. The property owner has made no mention of the due process, but just for the record, the property owner requested a historic significance determination after attending a preliminary Board of Architects review in May of 2024. In July, that letter was issued indicating that staff found that the property met the minimum eligibility requirements for designation, and it was scheduled to be heard by the Historic Preservation Board in September of last year. The property owner requested a deferral until October, where the item was heard and the designation that's before you today was made. The property owners were afforded plenty of time to present their arguments. Their expert witnesses spoke for almost 40 minutes and the hearing itself was two hours long. As I said, the property owner hasn't mentioned any due process issues, but I want to make that clear for the record. As far as the proper law, I just want to address a few of the items that Mr. Heisenbottle and Mr. Garcia-Serra brought up about significance. That introductory paragraph of the significance determination that was brought to you before is incorporated into those criteria of eligibility that the Board considers. In fact, you can see in the slides that they presented, it is historical cultural significance and architectural significance that are the findings

that they made. By making those findings, they incorporate that threshold level of significance into their findings. Clearly, they thought that those were significant and of value and interest to make the finding of significance that they did. Clearly, the correct law was applied, the correct Zoning Code provisions were applied, and I have no concerns about the Board's application of the correct law. As far as substantial competent evidence, as a base matter, the same presentation you heard today, the same evidence presented by Mr. Heisenbottle and Mr. Bermello, was presented to the Historic Preservation Board. As you can see from the record below, the two-hour long hearing, there was a lot of debate and a lot of discussion back and forth with the property owners' representatives, as well as City staff. And the City -- and the Historic Preservation Board found that there was substantial competent evidence to make findings for those two areas of designation. I think that that surgical motion was made particularly because of all the evidence that was presented to the Board. The evidence regarding the Mediterranean Transitional style, the discussions and debate that they had amongst themselves led to that surgical motion and was very focused on what they thought there was substantial competent evidence for. The historical, cultural, political, economic, social trends, the architectural significance, they looked at those very carefully and were very careful in their words because that's what they thought there was substantial competent evidence for. To go back to some of the points raised earlier, the mention of compromise design integrity and alterations, that was discussed by the Board and was incorporated into their decision-making process. There was a struggle about the architectural criteria and a long discussion and those same quotes from Mr. Silva about the style itself, the Mediterranean Transitional style, and that's why that sort of motion was made. In fact, an amendment was suggested to incorporate that criteria into the decision of the Board, and they decided not to do that, for the very reason that there was debate and discussion made based on the evidence presented by the property owners. A few things also to note. The discussion regarding Phineas Paist and Mr. Steward, that again was discussed by the Board. That was not a criteria presented by the Historic Preservation staff for the designation and it was not a criteria that the Board based their decision on. So, regardless of whether or not Mr. Paist was alive or dead when this building was constructed or his name appears on the title, that was not a reason for designation that the Board incorporated into their motion, nor was it a reason for designation that the Historic Preservation staff suggested. A few other things to note about the substantial competent evidence that was presented before the Board and incorporated into their decision-making process. The designation report itself that the Board relied on as substantial competent evidence places the property in that second development phase and the staff report discusses many of those political and economic trends, including the move away from single-family residential, the Douglas Section growth, and the marketability of rentals during the hard economic times during which this building was built. The WPA works and the comparative analysis that Mr. Heisenbottle presented and was discussed by some of the Board members in public comment is not appropriate for designation. We don't do comparative designations in the City. We look at each property individually. And again, at issue today is only the designation of 1414 Galiano. We are not discussing every 1930s building in the City. We are not discussing citywide trends if we are talking about one specific property. As a final note, the discussion about historic preservation freezing for a thousand years, a building in time, as you all know, the City has an extensive certificate of appropriateness process.

Designated buildings are being altered day in and day out in the City through the process with the City. So, I don't want anyone to think that designation freezes a building in time for all that. So, again, I just want to note that those three prongs that are before you today, the due process, the correct application of law, and the substantial competent evidence, as counsel for the Board, the Board felt that the due process was met, the substantial competent evidence was met, and they looked at those criteria. As far as that significance threshold, this is an argument that has been presented to you before, and I just want to be clear that the Board feels, and as the City Attorney's Office has discussed before, that significance and value and integrity is incorporated into those criteria below. That introductory paragraph makes very clear that the criteria to be considered are to meet one of those criteria listed below, which incorporate that significance into them. I'm going to defer to Anna Pernas for any questions, and I think she has a brief presentation. But again, I'm here as counsel to the Board and to present their process and their findings and sort of be the person behind the transcript that was before you as part of the record. So, thank you.

Historical Resources & Cultural Arts Director Pernas: Good afternoon, Mayor, Vice Mayor, and Commissioners. Anna Pernas, Director of Historical Resources and Cultural Arts and the Preservation Officer. If we can go back to the first slide. Oh, I have it. Thank you. Thank you. Sorry about that. Okay. The multifamily residences at 1414 Galiano Street, historically known as 103 Menores Avenue, is before you for appeal for the Historic Preservation Board's decision to designate the property as a Local Historic Landmark. This application was submitted to the historical resources by the property owner as a historic significance determination letter required when an applicant is seeking approval for demolition. Coral Gables is a certified local government, a CLG, recognized by the state of Florida, and as such must maintain a register of historic places and abide by associated preservation standards. It is the task of the historic preservation and an obligation of certified local governments to identify and protect those resources that contribute to the history of the City over time. As per Article 8, Section 8-103 of the Coral Gables Zoning Code, criteria for designation of historic landmarks, a historic landmark must have significant character, interest, or value as part of the historical, cultural, or archaeological aesthetic, or architectural heritage of the city, state, or nation. For designation, a property must meet one of the criteria outlined in the code. The Historic Preservation Board found that 1414 Galiano Street is eligible as a Local Historic Landmark based on three criteria -- apologies, based on two criteria. The historic cultural significance, Criteria 4, it exemplifies the historical, cultural, political, economic, and social trends of the community. And architectural significance, Criteria 2, it embodies those distinguishing characteristics of an architectural period. It is important to note that these significant features are identified within the criteria listed and that is our measure of what is -- makes it significant. The property of 1414 Galiano Street is a 65 by 110 corner lot in the Douglas Section. On the property is a duplex and an auxiliary building that houses a garage and studio apartment. It was designed by Paist and Steward and constructed in 1937. There have been no additions to the structures, and they retain their original style and character. The construction of the multifamily residences at 1414 Galiano occurred during the second city's -- the City's second development period and was amongst the early buildings built during the New Deal era. It aided in introducing the City to a new architectural era as architects began to embrace modern trends.

Coral Gables' development history is divided into three major historical periods. George Merrick founded it in the early 1920s based on the vision of a fully conceived Mediterranean-inspired city. It is now considered one of the first modern planned communities in the United States. The architecture constructed during this initial period combined elements commonly used in Spanish, Moorish, and Italian architecture and has come to be known as the Mediterranean Revival style. During the 1920s, structures and amenities were built almost exclusively in this style. It was also recognized by the Board in the transcript that the Mediterranean Revival style is also a mishmash of architectural styles, and it's something the City embraced for its -- for that first initial decade. Unfortunately, as construction was ramping up in the Douglas Section, the 1926 hurricane hit. It severely curtailed building in Coral Gables, a trend that continued through the economic depression of the late 1930s, and as a result, despite valiant efforts, Merrick's grand plans to completing this Mediterranean-inspired city ended. As seen here, recovering in the 1930s was slow. Development during this second period was slow with very few single-family residences constructed. However, while development had significantly declined in the Douglas Section during this period, there was continuous building of apartments into the early 1940s, most likely due to the marketability of rental units during hard economic times. As the decade wore on, relief measures expanded under the New Deal era administration and people adjusted to the new way of life. As a result, priorities and aesthetics changed. This was reflected in all aspects of life, including the types of residences that were built. During this period, only several hundred structures were built in Coral Gables. The style of these buildings was this distinct departure from the ornamental and picturesque Mediterranean Revival style that had dominated the City's landscape since its inception. It transitioned away from the Mediterranean Revival and began embracing modern and national trends. In a community whose early identity was so strongly tied to Mediterranean theme, it is not surprising that most architects sought to acknowledge Coral Gables' roots as well as Merrick's desire for a cohesively designed community. Thus, while they embraced modern styles as they were still retained Mediterranean -- they still retained many of the Mediterranean Revival elements. The multifamily buildings at 1414 Galiano were designed in the Mediterranean Transitional style with influences from the modernistic Art Moderne. Art Moderne. In 1936, R. W. Holding Corporation acquired the property at 1414 Galiano Street. The president of the company was J. W. Ricketts. Ricketts had been a member of Merrick's construction team, and Ricketts hired Paist and Steward to design the multifamily residences. The original owner and architect of 1414 Galiano Street were both deeply involved in the development of Coral Gables from its inception. They were well-versed in Merrick's vision of Coral Gables, dedicated to helping Coral Gables grow and well-positioned to meld the new modernistic styles and traditional architecture of the city. This is important to the history of the building but is not one of the criteria that was listed for its historic designation. Paist designed 1414 Galiano Street in the Mediterranean Transitional style. It blended into the character of the Coral Gables in general, as well as specifically with Fink's distinct 1920s apartments within its direct vicinity, while embracing the modernistic style of Art Moderne. It is amongst the earliest examples of this transitional style in Coral Gables. From a comparison of historic photographs, the architectural plans with the accent fabric, as well as an examination of the building's permits and records, it is determined that the property at 1414 Galiano Street retains its historic integrity. Hence, 1414 Galiano Street

significantly contributes to the historic fabric of the City of Coral Gables and is part of the collection of quality buildings that serves as a visual reminder of the history and the cultural heritage of the City. And then in conclusion, 1414 Galiano Street was constructed in 1937 in an era of many changes. George Merrick founded Coral Gables during the South Florida real estate boom of the 1920s, envisioning a fully conceived Mediterranean-inspired city. Building boomed in Coral Gables until the 1920s when the economy and factors ended Merrick's dream, construction ground to halt -- to a halt. When building slowly resumed in the 1930s, Coral Gables moved into a new architectural era. Overall, construction was sparse with only several hundred residences built and they represent a turning point. 1414 Galiano Street is amongst those structures. During the period, architects embraced modernistic aesthetics, but also sought to acknowledge Coral Gables' Mediterranean roots and Merrick's desire for a cohesively designed city. And so, on October 16th, 2024, the Historic Preservation Board found that 1414 Galiano is eligible as a Local Historic Landmark based on the two criteria, historical, cultural, and significance. Criteria 4, it exemplifies the historic, cultural, political, economic, or social trends of the community, and its architectural significance. Criteria 2, it embodies those distinguishing characteristics of an architectural era, period. Thank you.

Mayor Lago: Thank you very much. Mr. Clerk, do we have public comment?

City Clerk Urquia: Yes, Mr. Mayor. First speaker today is Alex Adams.

Mayor Lago: Good afternoon.

Alex Adams: Good afternoon, board members. I didn't know that I was going to be quoted earlier. I do not have any compensation or any affiliation with either side of this argument. I do live in the neighborhood. I live about four blocks away. I do a lot in the neighborhood. And I think that you're being put into somewhat of an unfortunate situation because you're being asked to look at a binary item. Is it yes, or no? And just on this block, this isn't the best building. There have been other buildings on this block that were designated, and I think if you look at those -- and I'm sorry, but we have to compare things. I mean, that's what we do as humans. We're always comparing, and we have to know what is the city that we want. So, I think if you just look at the block, you'll see better examples. I think there is a need to -- and I've heard there's some sort of study, but maybe it wasn't finalized for all of North Gables so that you could look at a holistic area and say, yes, this is better, that is not, or this is a one through five ranking, or you know, what style and all of that. I know Janus did some of that, but it needs to be moved forward. And I think the other thing that we need to also bring up, one of the kind of elephants in the room, if you will, is people are scared of what will go there instead of this. And I think that's a general across the board. So, I think if you would move forward with revising the Mediterranean standards so that future development looks better, if people know that what's coming to their neighborhood is going to be positive, then they won't be scared of what might be. And I think that's what's happening here. Thank you.

City Clerk Urquia: Nelson de Leon.

Nelson de Leon: Good afternoon, Mr. Mayor, Vice Mayor, Commissioners, staff. Nelson de Leon, Locus Architecture, 500 South Dixie Highway, Suite 307. I'm also a resident of the Gables, 455 Menendez Avenue, Coral Gables. A quick background, I served on the local board of architects here for nine years, and the last five years, I've been on the Arts Advisory Panel. As an architect, I've worked on numerous historically designated properties in the City. Currently, I have six projects that I am working on at different stages that are either historic at the moment or will soon be designated historic. And coincidentally, I lived on this property for about a year back in 2004. As an architect, I can tell you that having worked on so many historic properties over the years, at no point did I feel like I was living in a historic property. And in my professional opinion, I feel like the property, the house itself, the duplex as it were, lacks the type of character, the type of uniqueness that is so prevalent in so many of our other historic properties that we have here. And again, having worked on so many historic properties, I've been fortunate to be very involved not only in researching past architects that worked in the City, but trying to restore in many cases the original architectural details that were shown that have been lost over the years by various additions, remodelings, removals. So, I'm very familiar with the entirety of the historic process here, particularly as it pertains in the City. And again, as I state, having lived on that property for over a year, at no point did I feel that that property was historic in any way. Thank you for your time.

City Clerk Urquia: Jackson "Rip" Holmes.

Jackson "Rip" Holmes: Greetings. Thank you very much. I support giving the historic preservation designation to this property, which is in my neighborhood. I just feel that there's been way too much development going on, and I live here, right? So, please uphold the historic designation. Thank you.

City Clerk Urquia: Ron Shuffield.

Ron Shuffield: Well, I didn't think I'd be here twice in the same day, but it was nice being with you this morning for the caroling. I'm Ron Shuffield. I'm a real estate broker. My office is at 550 South Dixie Highway. I've been a real estate broker here for the last 40 years. You know, I've enjoyed hearing the discussion. I appreciate what our historic board does. It's not easy, as we could see in the minutes that we were all -- that were shared by both sides here of what went on at the meeting. You know, I know that there was one vote against, but I didn't really hear why that person was against. But, you know, just from a broker's standpoint, and we've been very supportive of historic preservation. In fact, our company probably 30 years ago sponsored the plaques that many of our homes have. So, those ceramic plaques that you have on many of our homes designating that they are historic is something that we were very proud to be a part of. And we continue to sell many of these homes that have been beautifully restored. You know, I think that what I'm hearing here from both sides is that a lot of what was discussed on this particular

house was the period when it was built. And of course, there were a lot of homes built in that period. And it's always interesting to look at those graphs and see how everything fell apart after the hurricane, and it didn't really respond until the mid-30s. So, you have a long period in there. And I think people even forget that, you know, George Merrick, as much as we love George Merrick and what he did for our community, he only had control of the City for about seven years before he had to file bankruptcy and move down to the Keys. And so, a lot of what happened in these later years in the 30s, I mean, even George was not here. So, I think that just pragmatically looking at what we have now with this one particular property is that if that property is left in this position, that it can't change, you probably will just continue to have a building that looks like it looks today for a long, long time. And we know from selling a lot of homes in Coral Gables that if -- even one bad house in the neighborhood affects everybody's value. And so, that's my concern that for the public to even hear about what we've talked about here today would give fear to some people to buy an older home with the fear that one day somebody's going to knock on their door and say, you know, we've targeted your house today. I know it's a tough decision and, you know, I have friends on both sides of historic issues, but you know, we like to believe that what the City has encouraged all these years is to -- is to restore these homes. But I don't think what any of us have seen in this particular structure is something that most people would want to invest in to restore. So, thank you for listening. Thank you.

Mayor Lago: Thank you, sir.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: All right. So, we've heard from both sides.

City Clerk Urquia: I'm sorry, Mr. Mayor. I have one more speaker on Zoom. Karelia Carbonell.

Mayor Lago: Karelia, welcome back. Thank you for being here with us.

Karelia Carbonell: Good morning, everyone. Thank you for welcoming me back. I am speaking on behalf of the Historic Preservation Association of Coral Gables. And I have to say, we're looking really at a dying breed. These garden apartments are being lost. They're being lost to what we're seeing, which is demolition, and then the larger construction. This area is the garden district, and it's something that we should really take into consideration. The staff report was very well documented. And I'm sure you have read through it. And the Historic Board accepted it and voted in a majority to designate this property. You know, Phineas Paist, Harold Steward, you know, they don't have to be alive to, you know, to have their name on their property. And of course, that wasn't part of the criteria to begin with. As far as the era and such a dire era and, well, you know, that is history. And history doesn't pick and choose. This is part of the era. These -- this era of the 1930s was a transitional era. And so, again, we are trying to preserve that. And finally, the homes that are designated grow in value. They don't diminish in value. And that's proven through studies and the National Trust has done numerous studies on the rate of return on

historical property. So, please, I ask on behalf of our, you know, of the organization, we've been following this home and have been supportive of staff and of the Historic Preservation Board. So, we ask that you affirm their decision from October. Thank you.

Mayor Lago: Thank you.

City Clerk Urquia: Thank you, Mr. Mayor.

Mayor Lago: Okay. All right, so we've heard from both sides. We've heard from the community in regards to -- to this following project. What is the will of the Commission? Madam Vice Mayor, Commissioners?

Vice Mayor Anderson: I had some questions that I asked Ms. Pernas before this meeting began because it's been close to two years now that, you know, we've been looking at doing a historic preservation study for the North Ponce area. So, while I was sitting here, I looked for my notes as to when the last iteration or draft of the language is going to be used for an independent consultant to evaluate the North Ponce area. And the reason I did that is, number one, you know, it was supposed to be done by December. I'm talking about December of this year, and that's after a number of extensions because we were going to use, you know, \$50,000 from the City Manager's fund to get that study done. So, I thought, well, if we're a few days off, why don't we just wait? Because the word significance has a place. You know, you can't determine if something's significant if you don't compare it to whatever is in inventory in a way of historic properties in the area. I understand the desire to preserve properties because we've lost so many and there's very few in the mid-century era, but I do think the word significance requires a comparison to what else exists out there. So, in full disclosure, my father-in-law owned the piece of property at 102 Menores for probably since the time that he came down in the early '50s. It's about a \$26,000 to \$23,000 piece of property at the time. And yes, there were some alterations to it, and it was still deemed historical. It's a 1926 type structure, '25, '26. The windows were changed, air conditioning units were put in, but it didn't detract from the historic nature of that property. So, I'll share with you the following. The last iteration or draft of the language that was supposed to be sent to the consultant through the City Manager's Office for this historic preservation study to be done for the North Ponce District as well as the Flagler District was finished on October 12th of 1923 [sic] by me. My red lines were done, I sent it off to staff, it was supposed to be put out for a consultant. We had a change of administration. I brought it up again. I brought it up again over the summer. I needed to have a date. I communicated those dates to residents so that they knew what to expect. And I didn't hear anything back, other than it was supposed to be done in December. And I asked again in the fall, when is this going to be done? And it was supposed to be December. Today I learned that -- and it's just best that I read it into the record -- that we haven't even started yet. We can get a better bid. In the meantime, it's almost two years have gone by, and we have nothing done. We have nothing to compare to, relatively speaking. So, I'm gravely disappointed in the performance of staff on moving this forward. Because this is something that the Board asked about. I listened to last -- to the entire meeting last night. There's

a lot of repetition of the same language over and over and over again in that presentation. But just because you say something is representative of an era, repeating the same language again and again doesn't make it representative of the era. I need to have comparisons. So, Ms. Pernas, I have to ask you, why? Why weren't we informed this historic preservation study was never started? Why was I informed that it would be done in December of 2024?

Historical Resources & Cultural Arts Director Pernas: That was the timeline that we had set with the original survey year that we had met with in August, I believe it was, or July of last year. And that was the timeline that we received. With the delays and just our staff not being able to fulfill the budget deadlines, we weren't able to get to the funding in time for '24, so we had to wait until fiscal year '25, which then released our funds for -- in November of this past year, of '23 -- sorry, 24. In discussions with the surveyor company we talked to -- we decided to talk to another one that is in process of getting the updated quotes. This is actually the same company that did the 2000 survey that we have been mentioning today and have kind of heard about within the Historic Preservation Board meeting. And they'll be able -- since they've already done the initial legwork in 2000, they're willing to create it -- make it as like an update to their historic survey that they've already created. So, I'm getting new numbers from there, and hopefully, we could save the money, not use the entire \$50,000 for that, and then from there use the additional funds for any designation that comes out of that report. Just to confirm with you all, when we do these designations and we get a historic significance determination letter, we are not doing a comparative analysis. We are not required to do a comparative analysis, and we should not do a comparative analysis because we are looking at the building as an individual representation of a historic -- of the historic fabric and how that building then contributes to the historic fabric. If we had been looking at the district, then we'd been looking at the fabric of the entire North Ponce area, but this application before you today was for a historic significance determination letter for this property, 1414 Galiano.

Vice Mayor Anderson: Understand. So, let's turn back time for just a moment. The October 12th, 2023 draft that was the result of a resolution that was passed in the summer, May or June of 2023, it was included in the 2023-24 budget cycle, and it was going to be funded, and it was supposed, you know...

Historical Resources & Cultural Arts Director Pernas: (INAUDIBLE).

Vice Mayor Anderson: The money was set aside in the City Manager's Office at that time. We went back and forth on the writing that was going to be sent to the consultant. It was supposed to have been sent to the consultant over a year ago.

Historical Resources & Cultural Arts Director Pernas: I'll have to look at my emails if that was something that was sent to the Manager's Office, but the scope of work that was -- that was done, I do -- I know about the resolution and the funding that was passed by you all, and we do have that funding within our budget for fiscal year '25 that was rolled over. So, it is something that we're working on and will continue to work on and will provide updates.

Vice Mayor Anderson: Something is passed by this Commission, and it's supposed to be started within a particular fiscal year and for whatever reasons the wheels come off of the train and we are not informed by staff, I can't expect everybody here to know everything that's going on. If you are aware that something has been derailed for whatever reason, the money had to go somewhere else, et cetera, we need to be informed.

Historical Resources & Cultural Arts Director Pernas: And I apologize for that and I will make sure to get it to you next time.

Vice Mayor Anderson: So, I'm going to hold the rest of my comments and let the rest of the Commission speak, having digested that.

Commissioner Menendez: Listening to both sides, all the discussion -- by the way, Ms. Pernas, I think you do a great job. I know it's not an easy task, but I appreciate all the work that you put into it. Listening to all the arguments and the discussion and the issues, you know, I hear the discussion about the era in which the property was constructed. In the chart that was shown going up to, I think, late 30s, the chart went there in terms of permits. I know right after World War II, there was a spike in permits because our economy was in the tanks because of World War II coming out of the Depression. And the City leaders and the community realized the way to kickstart the economy was through real estate. A perfect example is the Crafts Section and other sections that Merrick had a vision of what it would be like, but unfortunately, Merrick was pushed out of the Commission in 1928; he passed away in '42. So, things that he had planned never saw the light of day because of reality, because of the economy, because of our life. A lot of properties were built, I would say '46, '47 to '55, '57. A lot of the properties, especially, I would say east of Anderson, between Anderson and Douglas, and 8th Street, and probably Bird Road. There are a lot of homes from that era. If we were to say that those properties that were built right after World War II to the mid-'50s were significant because of the era, we're talking about hundreds, if not thousands of homes. So, the argument of era is important, but I think you have to look at the big picture as well. So, I like to focus more, combine the era with other elements of significance within what's being proposed. And right now, I don't necessarily see it. I see the big picture, but the big picture, when you combine it with what the reality is, doesn't quite mesh. That's where I stand for the moment.

Commissioner Castro: I am torn because I could put myself in the situation of the homeowners and for you to be able to start an application process of a demo and then to find this out, I mean, detrimental. But at the end of the day, I cannot make my decision based on that. I have to make it based on the evidence provided. I'm looking at page number 7, and it's saying alterations to grade the property's integrity of the design. I'm seeing awnings, I'm seeing change of windows, I'm seeing a portable AC. I don't think those changes significantly affect the integrity of this property. Honestly, I don't love the property. I don't think it adds value to the neighborhood, but

I'm not an expert in historical homes. I'm going to go ahead and hear the rest of my colleagues to see if maybe they see something I don't see, but for right now, I'm leaning towards the City side.

Mayor Lago: Commissioner Fernandez.

Commissioner Fernandez: Thank you, Mr. Mayor. I think this is probably one of the most difficult appeals that has come before us when it comes to historic preservation, simply because it's easy to understand and see both sides that are being presented. And it was my Historic Preservation Board appointee who voted against the affirmation of designation of historic preservation on this property. I agree with the Vice Mayor's comments. I think that's something that we all expected to have by this point, a review of all properties in that North Ponce area, which would probably have aided in the determination of this property in particular. I have had conversations with Director Pernas and staff about doing a full study, and along the lines of what Mr. Bermello was saying, a full study of all properties within the City so that we can at least have them marked. And when somebody is purchasing a property, they can be aware of what properties are being deemed historic, or at least considered potentially historic, before they make an investment in the City with a different idea of what they would like. I think the images that were presented show changes that were made to the property over the years. But I must agree with Commissioner Castro, there are changes that could be reverted back. I'm torn. I really don't know. I'd like to hear from you, Mr. Mayor.

Mayor Lago: Madam Vice Mayor, you said you had other additional statements you need to make? I have just two questions to ask from staff.

Vice Mayor Anderson: Go ahead and ask the questions.

Mayor Lago: Madam Director, how are you?

Historical Resources & Cultural Arts Director Pernas: I'm good. How are you?

Mayor Lago: By the way, I don't blame you for not having the documents over the last year. You work for the Manager. That was a direct order that was made to the Manager, and it doesn't matter if it was the previous manager or this manager. It falls under the responsibility of the Manager at the end of the day. And those items, we want them. We need those studies moving forward, so let's get that addressed if we possibly can, okay? Two quick -- two quick points, and my points are simple, okay? We're talking about architectural period. Educate me. I have a little bit of design experience and construction experience but educate me on architectural period. I need to understand, after reviewing the tape of the proceeding, I need to understand a little bit more on the architectural period and the context of the architectural period.

Historical Resources & Cultural Arts Director Pernas: And so, just to go back, since the motion kind of was -- well, the Board's motion includes both the criteria for the social trends, but also the

architectural period, and I think they speak to each other. Because of the Great Depression, the architectural period that you saw was a transitional period that was moving away from the Mediterranean, highly decorative style, but something that was more modern (INAUDIBLE), and something that was easy to construct. So, some of the details that you see, and like we talked about, this building does not have the highly decorative elements that we're used to. It's something that moved away from that architectural type and style from the 1920s but was more streamlined and part of that new era of construction in the late '20s and '30s.

Mayor Lago: So, when we talk about design embellishments, articulations on the exterior of the building, those are tangible features that can be easily delineated just by your visual approach to the building, correct?

Historical Resources & Cultural Arts Director Pernas: Right, but they're integrated within the design of a building and a style of a building.

Mayor Lago: Obviously, obviously, but for example, when you look at what Mr. Heisenbottle mentioned before about AWP, that is, when you drive by a building that fits that criteria and fits that model, it's easily distinguished.

Historical Resources & Cultural Arts Director Pernas: Right, and those are very...

Mayor Lago: I'm asking...

Historical Resources & Cultural Arts Director Pernas: Monumental civic buildings to use.

Mayor Lago: But again, but I'm asking you -- I'm going to use it into context into this. Give me an example of a building that you drive by and say, this looks like this.

Historical Resources & Cultural Arts Director Pernas: Off the top of my head? We have some examples that we've already designated on...

Mayor Lago: No, but I'm saying, but just anything, anything you can think of. I'm asking you because, again, you used -- they throw the blanket -- not the blanket, excuse me, the net, the very wide net, and that is Mediterranean, Mediterranean, okay? So, standing up here as an arbiter, who has to make a decision, a very important decision...

Historical Resources & Cultural Arts Director Pernas: Yeah.

Mayor Lago: I can't just say, hey, listen, I'm not an expert. Well, today we need to be experts. We need to be prepared to face this decision.

Historical Resources & Cultural Arts Director Pernas: Could I get...

Mayor Lago: So, I want to ask you a simple question.

Historical Resources & Cultural Arts Director Pernas: My notes?

Mayor Lago: I'm talking about myself. So, I need to understand when you tell me, when you drive by a building, for example, you look at the Biltmore, you can see the type of design elements. You drive by City Hall. You drive by the Fink Studio building. You know, you can see those type of -- those type of features that are evidently clear in a building that has historical significance and is a certain design. So, I want you to -- when you take a look at the building that we're considering today, I want you to tell me, Vince, what design is this? What are we talking about? Where can we potentially find a really good, decent example in the city that I can hang my hat on and say, that building is in the same mold or same criteria.

Historical Resources & Cultural Arts Director Pernas: So, I know that we -- in the transcript, staff had recognized a few addresses that were designated within that same architectural era. Again, because we don't do comparative analysis, it's not something that's included in the report, but it was something discussed and talked about. And again, we kind of keep going back to these very highly decorative Mediterranean Revival buildings that we know that that was not the style in the era -- in this era. The era was meant to be kind of a very simplified version of all of that.

Mayor Lago: Let me give you what I think would...

Historical Resources & Cultural Arts Director Pernas: Let me give you a -- well, sorry.

Mayor Lago: Okay, while you're looking, while you're looking.

Historical Resources & Cultural Arts Director Pernas: Yeah, yeah.

Mayor Lago: Let me give you -- when you listen to certain members of the Board that were talking, I think they could have benefited, like myself, starting with myself, we could have benefited from having this examination already completed over the last year. Because we can refer back to it and say, here's a clear example, here's multiple clear examples, here's the location, so that the boards can use that -- use that tool. I voted in favor of designating a building here that was later torn down, located on Le Jeune, that was George Merrick's office. Remember? And the reason why it was torn down and recommended for it to be torn down by the City was because the exterior of the building had been altered so significantly that, at the end of the day, they viewed it to be no longer historic. I voted in favor of saving that building. We lost. But I use that building as an example all the time because I think we need a real test to figure out buildings like this. When a building is on the fringe and it's like yes or no and you're having -- and you're seeing so many people on a commission be kind of torn with approving it or disapproving it, I think there's a problem. When being -- when you're going to designate a building historic, I know that every

building's not going to be like the Fink or the City Hall or Biltmore, but it should be so, in my opinion, easily distinguishable. It should be a decision that that building has to be saved. And I voted in favor of that building even though the exterior had been significantly altered because of the history behind the building. Okay? So, I need to understand, when I look at a building like this before I make the decision, why should I vote in favor of this building? I need to understand. Tell me -- if you can't tell me the architectural period in detail and say, look, Vince, here's five examples that you can hang your hat on that have been designated that are exceptional buildings that are of the same magnitude, then I need to understand why is this building worthy after multiple -- multiple changes to the façade of the building. I need to understand why is this building up to snuff in regarding designation.

Historical Resources & Cultural Arts Director Pernas: Yeah, so we -- and I know that reading the transcript is maybe not the most exciting thing to do.

Mayor Lago: I got it. It's okay, I'll take it.

Historical Resources & Cultural Arts Director Pernas: But we did talk about six other properties, at least six other properties that were designated in this same period or architectural period. Doing a quick study, I'm just going to quote here so it's easier. Very recently designated in 2020 was 2214 Segovia, which was a 1935 Med Traditional, also Paist and Steward. And 20 -- another one in 2020 was 6808 San Vicente, and another one was 3317 Toledo. This is -- these are all 1930s buildings that were designated within the 2020. Within the last three meetings, we've been designating other later buildings in that same era.

Mayor Lago: Quick question to you, this is my last question. Do you believe that when you mention those buildings -- I looked at those buildings -- that they are -- they are more significant value historically in regards to their appearance than this building?

Historical Resources & Cultural Arts Director Pernas: Some are more intact than others, so they're going to stand out a little bit more to the layman...

Mayor Lago: It's okay. We're having -- we're having a conversation.

Historical Resources & Cultural Arts Director Pernas: And to everybody.

Mayor Lago: I'm trying to prove a point. We're having a conversation.

Historical Resources & Cultural Arts Director Pernas: But the building still meets the criteria and it only needs to meet one. And we believe that the staff wrote a report with substantial evidence and many references and an information that was provided to the applicant in advance. And you know, it's important to note that these -- this hasn't changed. This process hasn't changed.

Mayor Lago: I understand.

Historical Resources & Cultural Arts Director Pernas: Our designation procedure for an individual building is reviewed in the same way for every property that comes in through our historic significance process. You know, unfortunately, finding out at the time that you're looking to demolish a building is a really hard timeline for property owners. I get that because I get the phone calls and I'm dealing with them on the back end. So, a lot of people try to get to our office in their due diligence period, before they buy the properties. We get phone calls daily about, is this property on your list? And our list is available online. And we do have a GIS map that's available online, but it's not exactly within our same GIS. So, we're working on integrating all of that to make it something that's more accessible, like Mr. Bermello had mentioned. But this policy has been in place since 2009. It's not something that's new to maybe someone that is developing a property that is, you know, familiar with land use policies. And we went through our criteria and what our requirements are as a certified local government, and we believe it meets the criteria for designation.

Mayor Lago: Okay.

Commissioner Castro: I'm sorry, just -- and this is not going to be part of the record, but can you give me those addresses again just out of curiosity?

Historical Resources & Cultural Arts Director Pernas: Yeah, 2214 Segovia, 6808 San Vicente, and 3317 Toledo.

Mayor Lago: Madam Vice Mayor.

Vice Mayor Anderson: So, one of those addresses is in the presentation here, the very consistent, cohesive architectural design on the building. You know, it's the 2214 Segovia Circle address that you talked. And you know, just for demonstrative purposes, if you look at the front porch, you have this big round -- you have this big, round opening, you have a circle on the one end. It's a cohesive design. Is it simplest? It's not Mediterranean, it's a simple design, but it stood out, you know, as being something special, okay, or which could also be called significant. That's what I'm talking about when you're talking about significance, okay? If I was asked the question, do we have a cohesive design, and I'm picking on this language because it's in the Medit -- you know, it was part of the Mediterranean design code and part of the architectural code that you have to have a building that has a cohesive design, something that doesn't look like it's made up from one era versus another era, and basically a mishmosh, so to speak, the word mishmosh was used in the record below. You know, that's what this reminds me of. It reminds me of a mishmosh of styles as opposed to a cohesive style, which would mean it would be better architecture for preservation purposes. And the other concerning factor here, too, is if we over-designate, not only do we dilute what we have, but then we run the risk that we get preempted. I mean, there's lots of different reasons that have been expressed in the past as reasons for designating, and it's not part of our

code, such as too much development. We should not be designating because there's too much development. We need to amend the code to address that, and we're in that process of doing it without -- with the underlying zoning and the architectural code itself. The availability of TDRs, that was one of another expressed reasons to designate, and that's not part of the criteria. That's to encourage people to try to designate properties themselves because now they get the monies from which you can go in further detail with folks as to, you know, how they can use the TDRs. The fact that, you know, we have Paist's name on this, it doesn't seem to have the fingerprint or the design of Paist. Okay, and I know people can draw on different architectural styles, but you know, I've seen enough architecture that when something is designed by the same individual, it's like a handwriting style. Okay, so Paist's touch on this is not jumping out. I'm torn. I shouldn't be torn on something that's this monumentally significant impacting the future of our city. We have architects that are involved in historic preservation coming in here and saying it doesn't cut the mustard. So...

Mayor Lago: Madam...

Vice Mayor Anderson: That's where I stand on that.

Mayor Lago: Madam City Attorney?

City Attorney Suárez: Yes, thank you, Mayor. I just want to remind the Commission that your role in considering this appeal is to determine, you know, whether the requirements of the Zoning Code were followed and whether there was competent, substantial evidence to support the decision of the Historic Preservation Board. And in making that determination, whether there was competent, substantial evidence, of course, you are not to step into the shoes of the Historic Preservation Board or re-weigh the evidence, but it's simply to, based on your review of the record, whether there was that competent, substantial evidence supporting the decision.

Mayor Lago: Okay. So, what is the will of the Commission? Does staff have anything else they'd like to add? Or the applicant, Mario, anybody? Anything else? Are you fine before we render a decision here?

Commissioner Castro: One more closing statement.

Commissioner Menendez: I just want to add, if I may, and I am in agreement with my colleagues, and you know, I see the architectural style is the way it's portrayed as Mediterranean Transitional style. And we've always had these meetings, and we have the, you know, TDRs, as the Vice Mayor said, and Mediterranean is the golden child of architecture in Coral Gables. And if I'm not mistaken, Mediterranean Transitional style, the significance of it is that we are moving away from Mediterranean. So, it appears to me that, you know, we've always held Mediterranean at the highest level, and this is significant because we're no longer doing Mediterranean. I don't see the

significance of this particular -- it's a transition away from what everybody loves, and yet, we're giving it so much attention, and I just see a conflict of concepts.

Historical Resources & Cultural Arts Director Pernas: And as much as we all do love our beloved Mediterranean Revival style, the intent of our department and as a certified local government, it's about the history of the entire -- of the City throughout time. It's not just going to be frozen in the 1920s. History continues, and we need to continue to protect that history because if we lose all of our buildings, and you know, we're going to be -- we may have a Mediterranean 1920s building, and then what happens? Only 2020 new Mediterranean buildings, there's still a period of significance that needs to be protected. And that's why our ordinance exists.

Commissioner Menendez: We're all for protecting the history. We have, I think, a very good track record of protecting the City's history. But as what was said, this property, in terms of, does it stand out in terms of portraying that history? Because if people see it from the street, they won't, I don't think, understand where it falls in the timeline.

Historical Resources & Cultural Arts Director Pernas: Right. It's a different period of where it falls into...

Commissioner Menendez: In the timeline, right.

Historical Resources & Cultural Arts Director Pernas: That era. And I think...

Commissioner Menendez: That just muddies the water a little bit more.

Historical Resources & Cultural Arts Director Pernas: And the other part too, just so that you -- because I know the TDRs have come up a few times. Just if the property -- the property is within that area, that they would qualify for TDRs if they pursue them. They're also allowed to have ad valorem tax exemption for any of those renovation that require restoration. So, there are other incentives that would be applied once the designation -- if the designation occurs.

Mayor Lago: Yes, sir.

Mr. Garcia-Serra: Mr. Mayor, if I may, I think there's one point of discussion that I think would help. In our presentation, we showed a building from this timeframe that is already designated historic, which we feel is something that is significant and rises to that level. If Mr. Heisenbottle could show it, I think it would perhaps help the discussion, seeing a significant building at that particular scale.

Mr. Heisenbottle: Commissioners, thank you again. As the Mayor was discussing this earlier and asking for an example, staff was -- from -- my staff was over here going, show 1101 North Greenway. Show 1101 North Greenway. That is an example of a building that -- of a home that

is worthy, that is significant, that meets this criteria. We've got a great photograph of it that is in our presentation. And hopefully, they're going to be able to show it to us on the screen here real quickly. There it is on the bottom, bottom right. You can just drive by this property as was suggested and know right away. Lower right.

Vice Mayor Anderson: Yeah, the one on the bottom right.

Mr. Heisenbottle: And no...

Vice Mayor Anderson: Yeah, I went for the 2214 because it was a lower income building. I mean, the one on North Greenway is spectacular.

Mr. Heisenbottle: Yeah, yeah. There's no question.

Vice Mayor Anderson: I mean, it says significant when you look at it.

Mr. Heisenbottle: And it shouldn't be that difficult to understand what significant is here. It's the definition of the word, you know. And if we -- and any of the buildings that we've shown on the right-hand side, the Stonehouse, the Coral Gables Museum, we could go down the whole list. If we lost any one of those buildings, we would literally cry over it. A fire some night, we lose one of these buildings, we know we've really lost something. If we lose 1414 Galiano, I submit to you that I'm not so sure we've lost all that much. I think we're over-designating, I think we're over-reaching, and I think the Vice Mayor was spot on with how she understood this process. And yes, I've been, from this dais, often telling you that we need to finish assessing all of the properties in Coral Gables and not just do this on a piecemeal by piecemeal basis. Make it a comprehensive assessment and do every last one of them so that we stop this sort of situation that we see right now and we have a comprehensive, professionally prepared assessment of the entire building. If I can do it for our clients in Delray Beach, we can certainly do it right here.

Mayor Lago: Thank you. So, what is the will of the Commission? I need a motion.

Commissioner Menendez: What would be the proper phrasing for the motion in terms of accepting or...?

City Attorney Suárez: So, you can -- so, the Commission can affirm the decision of the Historic Preservation Board, which would mean the property is designated historic, remains designated. You can override the decision of the Historic Preservation Board, which means that it would not be designated historic. Or you can remand if you were to determine that further proceedings are needed. And I think in making the motion, you should perhaps make a finding whether that's based on whether the essential requirements of law were not followed or whether it was based on, you know, there wasn't competent, substantial evidence.

Commissioner Castro: I don't agree with the worthiness of the house. I don't think it adds value to the neighborhood, but then again, that's not what I'm evaluating. I think that I would stay with the decision of the Historic Board.

Mayor Lago: Okay, so then make a motion to affirm the decision of the Historic Preservation Board.

Commissioner Castro: I move to affirm the decision of the Historic Preservation Board.

Mayor Lago: Do we have a second? Commissioner Fernandez?

Commissioner Fernandez: Sorry, I was having trouble unmuting myself. Madam City Attorney, could you restate the questions that we need to answer? I guess there's two, correct?

City Attorney Suárez: There's two that have been raised by the appellant, but really, there's three criteria that the Commission considers on an appeal. The first is whether due process was afforded. I haven't heard no mention of any question whether due process was afforded in this case, but that is one of the -- the criteria that you should consider. Next is whether the Historic Preservation Board's decision was based on competent, substantial evidence, and finally, whether the essential requirements of law were followed, which means did they apply the correct law.

Mayor Lago: So, we have a motion by Commissioner Castro to affirm the decision of the Historic Preservation Board. Would you like to make a second?

Commissioner Fernandez: And then, Madam City Attorney, regarding the three questions, in order to affirm, we would have to have no doubt of any of the three, correct?

City Attorney Suárez: Correct. You would have to be satisfied that there was -- due process was afforded, that the Board's decision was based on competent, substantial evidence, and that the essential requirements of law were met. And of course, alternatively, if you find, for example, that one of those three was not satisfied, then, you know, that would be something for you all to consider, and you perhaps make a different motion.

Commissioner Castro: There's no second.

Mayor Lago: Commissioner, before I move on.

Commissioner Fernandez: Again, like -- I think we're going around, and I think none of us are ready to make a commitment on this just because we really are not comfortable with the question that's being presented. And maybe I'm wrong.

Mayor Lago: No, you're...

Commissioner Fernandez: Do all of you agree?

Mayor Lago: No, you're wrong. You're wrong. There is a decision in the room. I'm just -- I'm affording you -- since we can't see you, I'm affording you the ability to second Commissioner Castro's motion, or just to say I'm not going to -- I'm not going to second the motion, and we'll move on in a different direction. I just want to...

Commissioner Fernandez: If you're ready to -- I'm ready to listen to you on what your idea is, or what your motion would be.

Mayor Lago: I'm not making the motion. I'm going to ask my colleagues now on the Commission, would you like to make a different motion, since we're not affirming? Would you like to make a separate motion?

Commissioner Menendez: So, the first motion failed?

Mayor Lago: Yeah, to affirm. If not, my next motion will be, if we can't get a motion in one form or another way, I'll make a motion to defer. If we can't make a -- if we can't make a decision here today.

Commissioner Menendez: I'll make that motion.

Vice Mayor Anderson: I'll second it.

City Attorney Suárez: It's a motion to what, I'm sorry?

Mayor Lago: To defer.

City Attorney Suárez: To defer to bring it back next meeting?

Mayor Lago: Yep. Because if we can't get a motion to affirm and the Commission doesn't want to make a motion to deny, someone's got to make a motion here.

Commissioner Menendez: Question, if we were to remand -- this is among the members of the Commission. If we were to remand, just saying, to remand, what question would we ask or should we ask?

City Attorney Suárez: So, if you remand, essentially you would give some -- you would have to make a finding that there was something that's not satisfied, one of those three questions, and that there was something that the Historic Preservation Board, in hearing this item again, could

consider. You should give instructions specifically as to what you'd want them to consider, and they would have another full-fledged hearing before the Historic Preservation Board.

Commissioner Menendez: That's what I -- I'm asking my colleagues, if there's interest to remand, what is the specific issue that we would want them to reconsider...

Commissioner Castro: There's no...

Commissioner Menendez: If one exists.

Vice Mayor Anderson: If we had a historic designation study that was like supposed to be done in December, maybe it was going to be done in another week or two, then we'd have, you know, a concrete way to remand this back for them to consider the historic preservation study. I have no idea or confidence in when this is going to occur, okay? I think it's pretty clear I'm quite frustrated that so much effort was put into drafting the language for this historic designation study to be done for the entire North Ponce District and the Flagler District in the past year. It's just not moved. It's just not moved. I can't comprehend why.

Commissioner Castro: At the end of the day, the evidence is not going to change.

Mayor Lago: Exactly.

Commissioner Castro: It's not. So, deferred or not, it's -- we're going to come back to the same hearing.

Commissioner Fernandez: I think that if you were to remand, the question would be regarding significance. I think that's the biggest question that we all have. As was presented, the other properties that have been designated based on the study that I saw and the addresses that were presented, there was some sort of significance to the buildings that were presented. This one does not seem to show that. So, I would like clarity from the Historic Preservation Board and to reconsider the significance of this building when designating.

Commissioner Menendez: So, are you making a motion, Commissioner Fernandez?

Commissioner Fernandez: It would be an amendment to the motion that you made to remand.

Commissioner Menendez: Okay.

Commissioner Fernandez: Friendly amendment.

Commissioner Menendez: I accept.

Mayor Lago: Okay. Do we have a second?

Deputy City Attorney Throckmorton: I believe the motion was to defer, not to remand, just to clarify if the amendment is...

Commissioner Menendez: Well, I withdraw the defer and I make a motion to remand with the language that Commissioner Fernandez suggested with regards to significance. I think it was Mr. Banos, he himself as a board member had concerns as well or wasn't confident that there was significant evidence. So, that's my motion with the language that...

Commissioner Fernandez: I'll second.

City Attorney Suárez: So, just to clarify, so then staff and everyone in the parties would have some -- the motion would be, it goes back to the Historic Preservation Board, staff presents the -- we have the full hearing on designation with specific instruction to the Board to provide more clarity on the significance question. Is that -- the staff and -- staff or the parties have any questions on that?

Mayor Lago: Sir?

Mr. Garcia-Serra: Mr. Mayor and Commissioners, I almost feel like that's double jeopardy, you know. We're being put through the same trial again that we already went through once. You know, there's a clear record that's been established below, further elaborated upon here and explained. And it sounds like the substantial competent evidence just isn't there to support the designation.

City Manager Rojas: May I ask a question to staff?

Mayor Lago: Go ahead.

City Manager Rojas: Anna, do we have a timeline for the designation for North?

Historical Resources & Cultural Arts Director Pernas: No, as mentioned and Vice Mayor had said in the email that I provided to her this afternoon, was that I'm waiting on the new updated estimate from Janus Research.

City Manager Rojas: Would you forward me that email that you sent the Vice Mayor, please?

Historical Resources & Cultural Arts Director Pernas: Yes.

Mr. Bermello: Mr. Mayor, I think there's a fact that is being overlooked, which was presented at the Historic Preservation Board, it's part of the record, and it's this. There have been studies of

that area in the past by Janus, a consultant hired by the City. And in Janus' report, which is available to all, describes 1414 Galiano. And you know how it's described? Masonry vernacular. Now, masonry vernacular is not a style. Masonry vernacular is a euphemism, architecturally, to be respectful, and simply call a cinder block building with punched openings something that existed in that period. It's trying to not degrade the area. But that's how it's called. That's how it's referred to in black and white. And I think I heard Ms. Pernas say that you're thinking of hiring the same company, I believe. They're very competent. But that's -- nothing has changed. That study has been done. It's in the past. It's part of the record. So, when somebody's -- you're remanding it back to say about significance, they read that. I read it. Anybody can read it. Your consultants in the past that you paid for already have said it. So, I would ask that you consider that because that's black and white. It's not like subjective. It's not anybody here today. It's your consultant doing that survey years ago.

Mayor Lago: Sir?

Mr. Heisenbottle: If the Chair and the Commission will accept it, I'd like to make a suggested motion, as I sat for 10 years on one of these boards and chaired ours for at least two or three right here. I would suggest that rather than remanding this, that you -- that you reject the designation of the building for the reason that it lacks the significant character and interest and value that it has to have in order to meet the criteria for the City of Coral Gables historic designation. And just -- and keep it as simple as that. We have lots of other buildings in that district that will be assessed now by Janus, hopefully, or someone else in the near future and maybe we'll come up with a better way of doing this. But I would just suggest, Commissioner, that it probably doesn't necessarily serve a purpose to send it back and do the same dance again, as Mario was saying. The reason -- the reason that we're objecting to this is because it lacks the significance as your appointee noted in his comments.

Mayor Lago: So, what is the will of the Commission? We have a motion and we have a second from Commissioner Fernandez. Do we proceed or do you want to amend?

Commissioner Castro: I think the way to go here is either to reaffirm or to reject.

Mayor Lago: Okay.

Commissioner Castro: Anything in the middle doesn't really make sense. The evidence is not changing.

Commissioner Menendez: Is that with everybody else in agreement? One -- it's one or the other?

Commissioner Castro: Not much.

Mayor Lago: What would you like to do, Commissioner?

Commissioner Menendez: Well, get consensus among my colleagues.

Commissioner Castro: That makes sense.

Mayor Lago: But you have -- but you have to make a motion.

Commissioner Menendez: Well, I'll be more than happy to listen to you, what you prefer, and the Vice Mayor, and we can agree collegially.

Commissioner Castro: Why don't you make the motion?

Mayor Lago: I love how much they care about me now.

Vice Mayor Anderson: We have a motion and a second. We never voted.

Mayor Lago: Yeah.

Commissioner Menendez: I'll withdraw.

Mayor Lago: Let's take a vote.

Commissioner Menendez: I'll withdraw.

Commissioner Castro: He's withdrawing his motion.

Mayor Lago: All right. Well, we're going to defer this item to the end of the Commission meeting then because we've got a long agenda, and I'm going to move to defer to the end of the agenda. We'll hear back in about two hours, okay? Hopefully, we can come to some sort of consensus, all right? Thank you.

[Later...]

Mayor Lago: We're going to go back now to E-1. Let's see if we can close that chapter.

Vice Mayor Anderson: Is it possible to take a two-minute break for the restroom?

Mayor Lago: Yeah, perfect. We'll take a five-minute break.

Vice Mayor Anderson: Thank you.

[Later...]

Mayor Lago: All right. Welcome back. Back to Item E-1. Madam City Attorney, can you reiterate our two options that we have before us? I just want to -- since we're starting again after about an hour and a half of not discussing this item, I want to refresh, please.

City Attorney Suárez: Yes, Mayor. So, the different motions that the Commission can make are a motion to affirm the decision of the Historic Preservation Board, which in this case designated the Local Historic Landmark, the property located at 1414 Galiano Street, the City Commission can affirm with conditions, the City Commission can override the decision of the Historic Preservation Board, which in this case would mean the property is not designated historic, or the Commission can remand for further proceedings. Mayor, I've been reviewing what would occur if there is no motion, and we do...

Mayor Lago: No, there's going to be a motion. Don't worry about it.

City Attorney Suárez: Okay.

Mayor Lago: If the Commission doesn't make a motion, I'll make a motion.

City Attorney Suárez: All right.

Mayor Lago: At the will of the Commission, would they like to make a motion?

Commissioner Castro: I already made a motion.

Mayor Lago: Okay.

Commissioner Castro: It was denied.

Mayor Lago: Then I -- the rest of the Commission?

Commissioner Castro: Okay, I was hearing very much what Vice Mayor Rhonda was saying. I don't know if maybe you want to go ahead and make a motion.

Vice Mayor Anderson: Which points met your interest? Because I made lots of points.

Commissioner Castro: Well, the ones where you felt that you should have done the whole development of the North Gables, but besides that, that's a separate issue. The ones...

Vice Mayor Anderson: You're talking about the historic preservation study that's been pending now for close to two years.

Commissioner Castro: You felt that maybe it was -- it would have been an easier decision if that would have been accomplished by now. And the one that you don't think there's sufficient evidence to support the decision of the Board.

Vice Mayor Anderson: Wasn't exactly what I said. I said there was a lack of cohesiveness in the building, cohesive design.

Commissioner Castro: Um-hmm.

Vice Mayor Anderson: Okay, that a lot of the factors that I was hearing from the letters in opposition are non-factors, such as TDR, availability of TDRs, that's not evidence in support of historic preservation. So, you agree with that?

Commissioner Castro: No, it's not that I agree. I find that there is a lot of common sense in what you are saying. However, I still stand by my motion.

Vice Mayor Anderson: Okay, all right.

Mayor Lago: But if I may, of course, there is common sense. We've been waiting two years for this document. It would be amazing to have this document right now to use it as another tool in helping us all make a decision whether you're in favor or against. I mean, that goes without saying. Of course, it makes common sense. My point is this, if the Commission is not ready to make a decision, I'll make a motion. Does anybody else want to make a motion?

Vice Mayor Anderson: Go ahead, Mayor.

Mayor Lago: Okay.

Vice Mayor Anderson: Make the motion.

Mayor Lago: Madam City Attorney.

City Attorney Suárez: Make sure you pass the gavel, Mayor.

Mayor Lago: No, no, I got it. I understand. Repeat yourself again. What you said, the two, the things.

City Attorney Suárez: To affirm the decision of the Historic Preservation Board, to -- which would in this case mean the property...

Mayor Lago: Or...

City Attorney Suárez: Is designated, affirm with conditions, or override the decision of the Historic Preservation Board, which would mean the property shall not be designated, or to remand for further proceedings.

Mayor Lago: Okay, perfect. I will override the decision of the Historic Preservation Board.

Commissioner Menendez: I'll second.

Mayor Lago: I knew -- I knew they had to wait for me to do it because they couldn't do it themselves. We have a motion.

City Clerk Urquia: Commissioner Fernandez?

Commissioner Fernandez: Sorry, I've been dealing with a relative in my house I may have to take to the hospital. What was the motion?

Commissioner Castro: To override.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: No.

Mayor Lago: Yes.

(Vote: 4-1)

Mayor Lago: Thank you very much.