

1 use --
 2 MS. MENENDEZ: But then you're bringing in
 3 a restaurant.
 4 CHAIRMAN FLANAGAN: Right.
 5 MS. MENENDEZ: So are you saying that the
 6 restaurants is less intense --
 7 MR. TRIAS: Yes.
 8 MS. MENENDEZ: The existing Code says the
 9 restaurant is more intense.
 10 MR. TRIAS: Yeah, the existing Code
 11 requires three times the parking for a
 12 restaurant than it does for a retail store, and
 13 what we're saying is that that is not working,
 14 and that is not working especially in mixed use
 15 buildings.
 16 And it's not working in missed use
 17 buildings because when there's a change of
 18 use, and a restaurant wants to be located at
 19 the ground level, there usually is not enough
 20 parking.
 21 MR. BEHAR: Maria, I feel personally
 22 comfortable, if it's for mixed use buildings,
 23 because he's right, you know, you have the
 24 excess parking --
 25 MS. MENENDEZ: I understand. For a mixed

1 "similar," because in the chart, it says, "LEED
 2 certification."
 3 MR. BEHAR: "Or similar rating agency."
 4 MR. TRIAS: Yes.
 5 MS. MENENDEZ: Where are you reading that?
 6 MR. TRIAS: That's the third line. The
 7 third line, "Or similar rating" --
 8 MS. MENENDEZ: Okay. Got it.
 9 CHAIRMAN FLANAGAN: Motion and a second.
 10 Anything further?
 11 All right. Jill, call the roll please.
 12 THE SECRETARY: Maria Menendez?
 13 MS. MENENDEZ: Yes.
 14 THE SECRETARY: Alberto Perez?
 15 MR. PEREZ: Yes.
 16 THE SECRETARY: Frank Rodriguez?
 17 MR. RODRIGUEZ: Yes.
 18 THE SECRETARY: Robert Behar?
 19 MR. BEHAR: Yes.
 20 THE SECRETARY: Marshal Bellin?
 21 MR. BELLIN: Yes.
 22 THE SECRETARY: Julio Grabiell?
 23 MR. GRABIEL: Yes.
 24 THE SECRETARY: Jeff Flanagan?
 25 CHAIRMAN FLANAGAN: Yes.

1 use building, I understand.
 2 MR. TRIAS: And that's all it is, it's just
 3 for mixed use.
 4 MS. MENENDEZ: Just mixed use. Okay. Got
 5 it.
 6 MR. TRIAS: Okay.
 7 CHAIRMAN FLANAGAN: Anybody want to move
 8 it?
 9 MR. BEHAR: I'll make a motion to approve.
 10 MR. WU: Mr. Chair, just be aware, there's
 11 also a LEED requirement.
 12 MS. MENENDEZ: I saw that, yeah.
 13 MR. WU: I just want to make sure we are
 14 comfortable with the LEED requirement.
 15 MR. BEHAR: The LEED requirement is --
 16 MR. TRIAS: Or similar.
 17 MR. BEHAR: Or similar.
 18 MR. WU: Equivalent.
 19 MR. BEHAR: Equivalent, yes.
 20 And, typically, today, just about any
 21 project you do, you've got to comply with that
 22 by Code, just standard. So that's okay.
 23 MR. GRABIEL: I'll second it.
 24 CHAIRMAN FLANAGAN: And a second.
 25 MS. MENENDEZ: But where does it say,

1 All right. Last item, Number 10 on the
 2 agenda, "An Ordinance of the City Commission of
 3 Coral Gables, Florida providing for text
 4 amendments to the City of Coral Gables Official
 5 Zoning Code: Article 2, "Decision Making and
 6 Administrative Bodies", Division 3, "Board of
 7 Architects", Section 3-301, "Powers and
 8 Duties"; Section 2-302, "Membership, Terms;
 9 Vacancies; Removal"; and Section 2-303,
 10 "Meetings, Quorum; Required Vote", repealing
 11 Section 3-303, "Reconsideration of City
 12 Architect Administrative Determination" of
 13 Article 3 "Development Review"; by updating the
 14 membership and certain procedures of the Board
 15 of Architects; providing for severability,
 16 repealer, codification and an effective date."
 17 MR. TRIAS: Mr. Chairman, thank you very
 18 much.
 19 As you know, the Board of Architects'
 20 process is probably the most important process
 21 that we have for the aesthetics of the City.
 22 We have made a few changes that I believe are
 23 going to streamline the process and provide a
 24 better service to our community.
 25 The first change is that we are adding

1 alternate members, and the idea there is, the
2 City Manager may want to appoint -- the City
3 Manager appoints the Board, by the way, just to
4 remind you -- may want to appoint people,
5 that if they're alternates, then they don't
6 have to comply with the attendance requirement.
7 Sometimes that has been difficult. So we think
8 that's a good thing to open it up.

9 Right now we have eight members. The Code
10 says, at least seven. So we're lucky to have
11 eight. And we may have more. So that was one
12 thing.

13 Another thing, another idea that came up,
14 was to see if we could include a member from
15 the University of Miami, kind of like a way to
16 have better relations with the school, if you
17 want to suggest something different, but that
18 person would have to be a registered architect
19 and so on, and the idea there is that sometimes
20 we have professors that don't meet the
21 requirements for residency, in terms of the
22 time, and it may be a good idea to have
23 somebody like that on the Board. So it's just
24 to open it up. Again, it's not a requirement.
25 It's just another option.

1 Then the significant change is in the panel
2 review. And the practical issue is that it
3 allows us to have a meeting with a smaller
4 quorum, just two people form a panel. Three
5 people is the panel, but two would be a quorum
6 of that.

7 Sometimes, in the summer, we've had some
8 attendance issues. As you know, the Board is a
9 volunteer Board that serves every week, every
10 week, for four or five hours, so that makes it
11 easier for us to run the meetings.

12 And then we're clarifying the current
13 practice that there could be a review -- if you
14 don't like the decision of the panel, you could
15 ask for a review by the full Board. That's
16 being done already. We just wanted to make
17 sure that it's in the Code.

18 So those are the proposed changes.

19 CHAIRMAN FLANAGAN: Let me, anybody from
20 the audience? No? Okay.

21 MR. TRIAS: Mostly administrative in
22 nature.

23 MR. RODRIGUEZ: If you said that, I missed
24 it, I'm sorry, presently you need a quorum to
25 get anything passed and of how many?

1 MR. TRIAS: Yeah. Just like any meeting,
2 you need have a quorum to have a meeting.

3 MR. RODRIGUEZ: Right.

4 MR. TRIAS: So if we have eight members, we
5 would need to have four members present, before
6 we start. So what we're saying is, by having
7 the panel determine the quorum, then we can
8 have a meeting with less people.

9 MR. RODRIGUEZ: If the goal is to maintain,
10 you know, a certain level of quality control,
11 isn't allowing a decision to be made by two --
12 couldn't that potentially compromise the goal
13 of quality control?

14 Because, I mean, I'm always -- isn't,
15 generally speaking, you're more comfortable if
16 you have the input of at least four people or
17 more people?

18 MR. TRIAS: No, Mr. Rodriguez, you're
19 right, but what happens is that that's the
20 current practice. Right now we do have panels,
21 and the reason is that we have 120, 130 items
22 every meeting.

23 So what happens is that a majority of those
24 items are fairly routines, like, for example,
25 windows, doors, things that are easily dealt

1 with, with a panel. Now, if we have a
2 significant -- well, significant in this City
3 is a house, anything that is a new building,
4 then typically we have the full Board.

5 MS. LEEN: Can I add something?

6 MR. TRIAS: Yeah.

7 MR. LEEN: If we have five members present,
8 it allows three to act on one and two to act on
9 the other, so it expedites matters. If there's
10 controversy, the City Architect has the
11 authority to say, "Well, you know what, let's
12 move this to a full Board."

13 MR. TRIAS: Yeah, and I understand exactly
14 the point that you're making, and what I would
15 encourage you to do is that if you visit one of
16 the meetings, you will realize that there's an
17 amazing amount of little things that have
18 people waiting in line and so on, and so that
19 was kind of what we were trying to do -- be
20 able to --

21 MR. RODRIGUEZ: An example -- let me throw
22 out an example for you. What if, for example,
23 somebody wanted to come and wanted to paint
24 their windows a color that wasn't, you know, a
25 standard color approved by the City, and, you

1 know, that to me has potential for -- I don't
2 know if the right word is abuse, but potential
3 to have an ugly house, you know, with an ugly
4 color. Is that something that would be handled
5 by two people, two architects?

6 MR. TRIAS: And Staff. Obviously Staff is
7 there and Staff is able to review it. Yes.
8 And all I'm saying is that, I have full
9 confidence that the City Manager is going to
10 appoint competent people at that Board, and
11 that's the assumption we have.

12 If we have a problem, we will deal with it.

13 MR. BEHAR: Frank, the Board of Architects
14 really attempts -- I used to serve on that
15 Board, and you would do it for four or five
16 hours every week. It gets to be cumbersome. I
17 mean, so I support the idea of bringing
18 alternates or, you know -- because --

19 MR. RODRIGUEZ: I would be -- you know,
20 speaking for myself, I would be persuaded by
21 the opinions of the architects that are part of
22 this Board, and especially if you've served on
23 it. I mean, I'm sensitive to the issue. I
24 think that's something -- I mean, to ask people
25 to be there for five or six hours at a time --

1 we always, for probably the 20, 30 years that
2 I've been associated with the Board, always had
3 two members, never three, until maybe two years
4 ago, and it worked for all that period of time
5 and it worked well.

6 And I think the testament to that is, look
7 at Coral Gables.

8 MS. LEEN: Can I raise one issue that I see
9 here, that I want to bring to your attention,
10 because this actually came up in a Planning and
11 Zoning meeting, too, and it's something that
12 we're addressing in other parts of the Code?

13 But this does include the language that a
14 tie vote shall result in the automatic
15 continuance of the matter to the next meeting,
16 which shall be continued until a majority vote
17 is achieved.

18 I don't normally make recommendations, but
19 that language --

20 MS. MENENDEZ: Doesn't work.

21 MR. LEEN: -- in all of our Zoning Code
22 troubles me, because what I think should happen
23 when there's a tie vote, from a procedural
24 standpoint, is that they should try to break
25 the tie, and, you know, talk a little bit more,

1 MR. BEHAR: Every week.

2 MR. WU: Mr. Rodriguez, just to clarify one
3 point. If the two-panel member is going to
4 deny something, it automatically kicks it to a
5 higher level review. It's not an automatic
6 denial. I think there's some foresight that
7 members on the two panel have said, "This
8 requires a full Board hearing." So it's a
9 fairly standard process.

10 MR. GRABIEL: I've been on both sides.
11 I've been on the Board of Architects and I've
12 presented projects to the Board many times, and
13 it works very well, because they divide
14 themselves into three groups of three each, and
15 they move along. And if the project is
16 important enough or if there's no agreement on
17 the panel, then it goes to a full Board.

18 MR. BEHAR: To the full Board.

19 MR. TRIAS: And that would be any addition.
20 Any large addition to a single family house
21 would qualify for that. So the standards are
22 very high for projects that in other cities
23 would not be reviewed.

24 MR. BELLIN: Ramon, let me mention that I
25 also sat on the Board for a lot of years. And

1 and if they can't, at some point it should just
2 fail.

3 I mean, if you can't achieve a majority
4 vote, then the matter should end, and then the
5 party can appeal to the Commission.

6 MS. MENENDEZ: I had that marked myself --

7 MR. LEEN: And I think that that's probably
8 true for every Board. It worries me, because
9 sometimes, like with this Board, you could have
10 a two-three vote, which obviously doesn't pass
11 anything, but that goes to the Commission, but
12 if you had a three-three vote, which still is
13 not four, then that's automatically continued
14 and makes you go through an entirely new
15 proceeding. It doesn't make any sense to me.

16 MS. MENENDEZ: No. It goes without a vote
17 to the Commission, no? It goes to the next
18 meeting.

19 MS. LEEN: But we're changing that.
20 Remember, I gave an opinion last time that
21 there was no -- to me, that that provision was
22 arbitrary, basically, because there was no
23 reason to treat three-three differently than
24 two-three. Either one would normally go to the
25 Commission.

1 So I gave the opinion it could go to the
 2 Commission. So we're removing that from other
 3 provisions.
 4 Ramon, do you -- if I may, Mr. Chair, do
 5 you have any issue with --
 6 MR. TRIAS: No. No. We intent -- yeah.
 7 CHAIRMAN FLANAGAN: That's fine.
 8 MR. BEHAR: One more question. On the
 9 Board, appointed with the person affiliated
 10 with the University of Miami, can you maybe be
 11 a little bit more -- elaborate on that please?
 12 MR. TRIAS: Well, that's an idea that came
 13 up from discussions with the City Manager,
 14 brainstorming ways of including the community a
 15 little bit more in our efforts, and what
 16 happened was that, I realized that there were
 17 several people that potentially could serve on
 18 the Board, that were qualified and interested,
 19 but they didn't qualify because of the
 20 residency requirement. They were new
 21 professors. So that was one way to deal with
 22 that issue.
 23 Again, it's an option. It's not required.
 24 MR. BEHAR: For the record, I'm very
 25 supportive of the School of Architecture --

1 MR. BEHAR: They live in a different world
 2 sometimes.
 3 MR. BELLIN: Always.
 4 MR. TRIAS: Mr. Behar, I was at a design
 5 studio presentation today on the North Ponce
 6 and I fully understand your point.
 7 MR. RODRIGUEZ: Ramon, I'm persuaded by --
 8 I mean, to me, what Mr. Behar is saying makes a
 9 lot of sense, you know, and, plus, when you
 10 have stated -- I mean, you're not even hiding
 11 it, the stated purpose is to curry favor with
 12 the University of Miami -- I mean, look, I
 13 understand -- but, I don't know, to me, that is
 14 a little bit of a concern, as opposed to
 15 having, you know, architects that work in the
 16 City, live in the City, maybe have been here
 17 for a while, understand, you know, some of the
 18 sensibilities that are important to the City or
 19 maybe more so because they've been around it
 20 and they're more accustomed to it.
 21 MR. TRIAS: My recommendation to the City
 22 Manager has been to appoint anyone who
 23 qualifies, who wants to serve, because the Code
 24 allows that. So now we have eight. If we had
 25 two more, and one of them happens to be a

1 MR. TRIAS: I think you have some relation
 2 with that, yeah.
 3 MR. BEHAR: Very much so. I have some
 4 concerns when you start bringing academia and
 5 professional together. You know, I think that
 6 I -- this has to work, where you have the
 7 professional that resides or practices in the
 8 City of Coral Gables, and I'm not sure it would
 9 be a good idea to start bringing professors
 10 into the Board.
 11 MR. TRIAS: They would have to be
 12 registered architects.
 13 MR. BEHAR: You know, I --
 14 MS. MENENDEZ: I have confidence, though,
 15 that the person that will be selected will have
 16 what you're hoping they would have and not just
 17 be academia, and I'm sure that Ramon will share
 18 that with the Manager.
 19 MR. TRIAS: Absolutely, and the Manager
 20 makes the appointment, and she's very sensitive
 21 to this. And it's an option. And the only
 22 option is to have more people that qualify.
 23 That's it.
 24 MS. MENENDEZ: Right, but I understand what
 25 you're saying.

1 professor -- that was my thinking -- why not?
 2 But, you know, it's up to you, whatever
 3 recommendation you want to make.
 4 CHAIRMAN FLANAGAN: And just as "minor" in
 5 the last one was maybe a little too loose of a
 6 word, I question the word, "affiliated." I
 7 think that's very broad as to what that means,
 8 "Affiliated with the University of Miami."
 9 MR. TRIAS: All right. We can --
 10 CHAIRMAN FLANAGAN: That's a comment.
 11 But then, also, Ramon, it says, if you're
 12 affiliated with UM, you must be a registered
 13 architect or landscape architect, but you're
 14 exempt from all other requirements.
 15 MS. MENENDEZ: That's true.
 16 CHAIRMAN FLANAGAN: And one of the other
 17 requirements was a minimum of experience of
 18 having been an architect.
 19 MS. MENENDEZ: In Coral Gables.
 20 MR. TRIAS: In Coral Gables.
 21 MS. MENENDEZ: Right.
 22 MR. TRIAS: For example, the Dean -- a new
 23 Dean at the School of Architects, I had that
 24 conversation, just recently hired, he said,
 25 "Oh, yeah, I want to serve."

1 Well, he doesn't qualify. Well, that's the
2 kind of scenario that I'm proposing. It's like
3 all of a sudden, it's like we have a university
4 that is very qualified, in our City, and
5 certain individuals, we may want to have that
6 option, and it is that residency requirement --

7 MR. BEHAR: But, actually, he is a resident
8 of Coral Gables. So that may be a different --

9 CHAIRMAN FLANAGAN: This section also
10 deletes the ten years experience in the
11 profession.

12 MR. TRIAS: We could --

13 CHAIRMAN FLANAGAN: So if it's just
14 residency, then I think we should state that
15 it --

16 MR. BELLIN: There is no requirement for
17 residency in the Board of Architects.

18 MR. TRIAS: Or have an office. Residence
19 or office.

20 MR. BELLIN: And also there's a requirement
21 that you have worked in Coral Gables, that you
22 do work in Coral Gables.

23 MS. MENENDEZ: Yes, it says it right there.

24 CHAIRMAN FLANAGAN: But this says, design
25 projects within the City during the last five

1 years, and you shall have a minimum of ten
2 years' experience in the profession. So Sub C,
3 as written, I think, deletes that requirement
4 of a minimum of ten years in the profession.

5 MR. TRIAS: Yeah. The policy issue here,
6 and this is really a policy choice, it could go
7 either way, is, do we want to keep the Board
8 only with people who have five years of
9 experience of working in Coral Gables
10 specifically. I mean, that's really what the
11 issue is, because if we want to open it up to
12 other people, then maybe recent professors who
13 came to work here, we may have that option.

14 MR. RODRIGUEZ: Is there a problem getting
15 qualified people now, because the requirements
16 are too restrictive?

17 MR. TRIAS: It was a problem, yes. We were
18 able to work it through and get enough people,
19 but, yes, certainly -- it's not only the
20 qualifications. It's a significant time
21 commitment. It's every week, the whole five
22 hours in the morning.

23 MS. LEEN: If I may, Mr. Chair, one other
24 thing to think about, from a legal perspective,
25 is that, you could have a professor that's been

1 here 20 years, but they may not be practicing
2 in Coral Gables, even though they work in Coral
3 Gables, and even principal place of business, I
4 would normally think that would mean as an
5 architect, although they are working at the
6 University of Miami. So we could argue that's
7 their principal place of business.

8 So, you know, (B) may even be satisfied by
9 someone who's a professor at the University of
10 Miami.

11 CHAIRMAN FLANAGAN: What bothers me is, Sub
12 A says you have to have a minimum of ten years'
13 experience in the profession. So that tells me
14 you have to have been an architect for at least
15 ten years.

16 Sub C takes that away. Now, granted, you
17 have to have some faith in the judgment of
18 whoever appoints them, but this technically
19 says, if you're affiliated with UM, you could
20 be a recent graduate. You could have just
21 gotten your architect's license and you are,
22 therefore, entitled to serve.

23 MR. LEEN: It is true. That ten-year
24 requirement, sounds like the will of the Board
25 would be to move that as a requirement in C.

1 CHAIRMAN FLANAGAN: I'll leave that to the
2 architects on the Board, but I think
3 experience --

4 MR. BEHAR: I agree with you. I agree with
5 that 100 percent. You know, in the case you
6 mentioned, the Dean, that's different, because
7 he has been in practice for over ten years.
8 Not in Coral Gables, but he has practiced. He
9 resides in Coral Gables. So that may be a
10 little different, but like Jeff, you know,
11 pointed out, you may have a recent graduate,
12 you know, that just got licensed, and that may
13 not be the right person --

14 MR. TRIAS: If this creates problems, then
15 I will recommend to delete it, because I don't
16 think it's a major issue. It was just -- okay.
17 I mean, if that's the consensus of the Board --

18 MR. BELLIN: I don't quite understand why,
19 you know, this whole story, if it ain't broke,
20 don't fix it.

21 The Board has been around since the '20s,
22 you know, and it seems to me that the
23 requirements really serve that Board well.

24 MS. LEEN: Well, I mean, I think the policy
25 decision for you is, do you want to allow

1 professors that are not practicing in Coral
 2 Gables, but that teach in Coral Gables, to be
 3 on the Board or not?
 4 MR. TRIAS: That's it.
 5 MR. PEREZ: No.
 6 (Simultaneous speaking.)
 7 MR. TRIAS: Yeah, I don't have any problem
 8 removing it, if that's the consensus of the
 9 Board.
 10 CHAIRMAN FLANAGAN: I'm hearing murmurs to
 11 my left.
 12 MR. BEHAR: I will say, no, I don't
 13 think -- I think we leave it the way it is, and
 14 your case specific, that would qualify, if they
 15 want to be on the Board.
 16 CHAIRMAN FLANAGAN: So that's for that
 17 portion. There are other changes.
 18 MR. TRIAS: Any other issues?
 19 MS. MENENDEZ: But what you're saying is to
 20 strike C altogether or just strike to exempt it
 21 from the other requirements of Subsection A and
 22 B?
 23 MR. TRIAS: Mr. Chairman, just for clarity
 24 sake, I would just strike C altogether, in the
 25 sense that it's not material to this. It's one

1 MR. BEHAR: Second.
 2 CHAIRMAN FLANAGAN: Second. Any further
 3 comment?
 4 Seeing none, Jill.
 5 THE SECRETARY: Alberto Perez?
 6 MR. PEREZ: Yes.
 7 THE SECRETARY: Frank Rodriguez?
 8 MR. RODRIGUEZ: Yes.
 9 THE SECRETARY: Robert Behar?
 10 MR. BEHAR: Yes.
 11 THE SECRETARY: Marshall Bellin?
 12 MR. BELLIN: Yes.
 13 THE SECRETARY: Julio Grabiell?
 14 MR. GRABIEL: Yes.
 15 THE SECRETARY: Maria Menendez?
 16 MS. MENENDEZ: Yes.
 17 THE SECRETARY: Jeff Flanagan?
 18 CHAIRMAN FLANAGAN: Yes.
 19 MR. TRIAS: Thank you very much.
 20 CHAIRMAN FLANAGAN: Thank you.
 21 All right. That's the last item on the
 22 agenda. So we are adjourned until December
 23 9th.
 24 (Thereupon, the meeting was concluded at
 25 8:10 p.m.)

1 of those things that --
 2 CHAIRMAN FLANAGAN: Okay. All right.
 3 MR. BEHAR: I'm good with the other two.
 4 MS. MENENDEZ: A and B exist now.
 5 MR. BEHAR: Right. And I'm good with the
 6 rest.
 7 CHAIRMAN FLANAGAN: And there's other
 8 changes throughout -- okay, through Section
 9 2-303.
 10 Anybody have any other comments or
 11 thoughts? So we're deleting Subsection C.
 12 MR. TRIAS: Yes.
 13 CHAIRMAN FLANAGAN: Okay. Anybody -- as
 14 modified, anyone want to move it?
 15 MS. MENENDEZ: And we're also going to
 16 change what our City Attorney suggested on C,
 17 Page 3.
 18 CHAIRMAN FLANAGAN: Yes, that's right.
 19 Thank you. About tie votes.
 20 MS. MENENDEZ: About the tie votes.
 21 CHAIRMAN FLANAGAN: Mr. Rodriguez, are you
 22 good with that?
 23 MR. RODRIGUEZ: I'm good with it. I so
 24 move.
 25 CHAIRMAN FLANAGAN: All right. A motion.

1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15
 16 DATED this 26th day of October, 2015.
 17
 18
 19
 20
 21 SIGNATURE ON FILE
 22 _____
 23 NIEVES SANCHEZ
 24
 25