

City of Coral Gables
Virtual City Commission Meeting
Agenda Item E-3
May 12, 2020
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Jorge Fors

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant Historic Preservation Officer, Kara Kautz

Public Speaker(s)

Vicki Cerda
Mario Garcia-Serra
Dona Spain
Alice Maynada
Alice Goldhagen
Rick Estrada
Alfredo Valsera
Christine Rupp
Tony Rodriguez
Carolyn Reyes
Jeff Donnelly
Michelle Dunaj
Kirk Menendez
Lourdes Valls
Maria Cruz

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Agenda Item E-3 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board at a special meeting held on Wednesday, March 4, 2020, which denied local historic designation to the property located at 1208 Asturia Avenue, legally described as Lots 13 & 14, Block 6, Coral Gables Section E.

Frank Colonnelli
Myra Jolie
Johanna Minoso
Karelia Carbonell
Brett Gillis
Javier Banos
Maria Bardina Farah
Ramon Pacheco

Agenda Item E-3 [Time Certain –10:00 a.m.]

An appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board at a special meeting held on Wednesday, March 4, 2020, which denied local historic designation to the property located at 1208 Asturia Avenue, legally described as Lots 13 & 14, Block 6, Coral Gables Section E, according to the Plat thereof, as recorded in Plat Book 8, at Page 13 of the Public Records of Miami-Dade County, Florida. (Ayes: 5, Nays: 4)

Mayor Valdes-Fauli: And now we have a time certain item, 10 a.m. That's E-3. It's an appeal. And I've been told that I have to recuse myself on this item. So, Vice Mayor, the gavel is yours. I can't get it to you but the symbolic gavel.

Vice Mayor Lago: Thank you, Mayor.

Mayor Valdes-Fauli: And I'll recuse myself.

Vice Mayor Lago: Thank you, Mayor. It's my understanding now that the Mayor's been muted, along with he won't be in the room in reference to this issue. Madam City Attorney, I would like for you to proceed in regard to E-3 and read the item into the record.

City Attorney Ramos: Yes. E-3 is an appeal of the Coral Gables City Commission from the decision of the Historic Preservation Board at a special meeting held Wednesday, March 4, which

denied the local historic designation to the property located at 1208 Asturia Avenue, legally described as Lots 13 and 14, Block 6, Coral Gables Section E, according to the plat thereof, as recorded in Plat Book 8, at Page 13 of the Public Records of Miami-Dade County. Mr. Vice Mayor, if I may. I need to state a few things on the record regarding the appeal.

Vice Mayor Lago: Will you also do me a favor and the Commission, along with everyone who's listening today, discuss the four options at the disposition of the Commission. Thank you.

City Attorney Ramos: Absolutely. So, this is a quasi-judicial meeting that is being heard virtually, as it fits the criteria set forth in the rules of procedure that were promulgated by the City Commission in Resolution 2020-90. That results from the Governor's order allowing for fully virtual Commission meetings without a quorum in the room. I have asked the parties to read the rules, and I'm going to ask them here once they speak to please acknowledge that they have read and understand those rules. In addition, the property owner has signed the waiver and indemnification agreement protecting the City from any claims based on the fact that this meeting is virtual in nature. That has been received and made part of the record. According to Section 3-606(d) of the Zoning Code, this appeal is based on the record and is not a de novo hearing. What that means is that while this is a public hearing item, no testimony may be considered. There will be no calling of witnesses or cross-examination as may be typical in other quasi-judicial hearings. The Zoning Code spells out specifically that this is an appeal based only on the record. The City Commission has four options after hearing the appeal in accordance with the Zoning Code. The City Commission may affirm the decision of the Historic Preservation Board. In this case, that means that the property would not be designated as historic. The City Commission may affirm that with conditions. The City Commission could override that decision, thereby, designating the property as historic. Or the Commission could remand the item for further proceedings before the Historic Preservation Board. There will be a time -- we have a public -- I'm sorry, a procedural order that has been promulgated by the Vice Mayor, as chair of this item and by myself, as parliamentarian. Essentially, the Historic Preservation Board staff will read the procedural history and the decision of the board and explain it to the Commission. At that point, the appellant will

have 15 minutes to make her case. The property owner's counsel will then have 15 minutes to respond, and then the Commission can ask questions. We will then have public comment. But as I stated previously, it is not to be considered testimony in this case. And then additional questions by the City Commission. For those participating by phone, you should press star nine to "raise your hand." In other words, if you would like to speak during the public comment portion, that is how you would advise the City Clerk that you wish to do so. In addition, there are at least three ex-parte communications that we are aware of that have been made part of the record. That allows all parties to address the communication if they feel that they should do so. I need to ask at this time if there are any other ex-parte communications that a member of the Commission needs to disclose.

Commissioner Keon: I don't have any.

Vice Mayor Lago: No.

Commissioner Mena: Me either.

City Attorney Ramos: Very well. With that, then I will just ask, Vice Mayor, before Ms. Kautz comes up to give the procedural history, I will just ask both parties, Ms. Cerda and Mr. Garcia-Serra, on behalf of his client, Ms. Valls, to please confirm that they have read the rules for virtual meetings and that they understand them.

Vicki Cerda: I have.

Mr. Garcia-Serra: Confirmed.

City Attorney Ramos: Is that Ms. Cerda?

Ms. Cerda: Yes.

City Attorney Ramos: Very well. Mr. Garcia-Serra?

Mr. Garcia-Serra: Confirmed. We reviewed the rules of procedure and are in agreement.

Vice Mayor Lago: Okay.

City Attorney Ramos: Thank you, sir.

Vice Mayor Lago: Madam City Attorney, thank you so much for being so clear in regard to the procedures and the rules. Now we have a presentation by historic -- by staff from Historic Preservation. Ms. Kautz, please come forward and provide us with a procedural history, along with the decision that was provided by the Historic Preservation Board.

Interim Historic Preservation Officer Kautz: Good morning.

Vice Mayor Lago: Good morning.

Interim Historic Preservation Officer Kautz: I'm Kara Kautz. I'm the Interim Director of the Historic Preservation Department. And I will give you a brief intro of what has transpired thus far. In October of 2017, the property at 1208 Asturia Avenue was listed for sale with a notation in the property description, stating that this beautiful home may qualify for historical designation. The property was sold to the current owner in March 2018. In September 2019, the Department received a historic significance request from the subsequent purchaser of the property. Article 3, Section 3-1103 of the Coral Gables Zoning Code entitled "Criteria for Designation of Historic Landmarks or Historic Districts," states that to qualify for designation as a historic landmark, individual properties must have significant character, interest, or value as part of the historical, cultural, archeological, aesthetic or architectural character of the city, state or nation. On October 4, 2019, the Historical Resources Department staff determined that the property did meet the

eligible criteria for designation as a local historic landmark and a letter was issued to the owner. Pursuant to Section 3-1107(g) of the Coral Gables Zoning Code, consideration of the landmark designation of the property was scheduled for review by the Historic Preservation Board and a public notice was issued. At the request of the property owner, the item was deferred twice from both the November and December 2019 Historic Preservation Board meetings. On January 15, 2020, the local historic designation of the property was heard by the Historic Preservation Board. For designation, a property must meet only one of the criteria outlined in the Zoning Code. The residence was presented as eligible as a local historic landmark based on three of the criteria in the Code. Those were historical/cultural significance and that it exemplifies historical, cultural, political, economic, or social trends of the community. And also, architectural significance, in that it portrays the environment and an era of history characterized by one or more distinctive architectural styles, or that it embodies those distinguishing characteristics of an architectural style or period, or method of construction. In our summary statement of significance presented to the board, staff felt that this residence exemplifies those three criteria for the following reasons: The single-family residence at 1208 Asturia is a prime example of a pre-war ranch house typology. It is an important representation of the major shift in building styles in Coral Gables. When homebuilding began to regain its footing in the mid-1930s after the real estate bust and Great Depression, there was a distinct departure from the ornamented and picturesque Mediterranean Revival style that had dominated Coral Gables since its inception. Building began to follow national trends. It included some early traditional custom ranch houses. Across the nation, these pre-war homes were designed by prominent architects for clients who were embracing this revolutionary architectural typology. These homes are distinct and often quite unique. Permitted in March 1936, 1208 Asturia is one of the first homes built as the City began to recover. The home was built on a prominent city block by nationally acclaimed architect Russell Pancoast, who was known for breaking new ground. In this home, Pancoast utilized the newly evolving ranch home typology towards a different response to local climate with one-story plan, wide overhangs and large windows for cross-ventilation. He also incorporated the modernistic influences of art deco and Art Moderne. This precedent-setting home has had minimal alterations and retains a high degree of its historic integrity. It tells the story of the ongoing development of Coral Gables, which

has not stopped after the 1920s. And significantly contribute to the historic fabric of the City of Coral Gables. In fact, the City of Coral Gables is a certified local government, which means that we are obligated to preserve historically significant examples over the complete timespan of the City. The Historic Preservation Board considered the criteria presented and it ultimately resulted in two failed motions to designate the property or not, due to a lack of the required appropriate votes. They were tied 4 to 4. Pursuant to the Zoning Code, a tie vote results in an automatic continuance of the matter to the next meeting, which shall be continued until majority vote is achieved. The item was then deferred again from the February 2020 board meeting by Mr. Garcia-Serra, as only six board members were in attendance. A special meeting of the Historic Preservation Board was convened on Wednesday, March 4, 2020 so that all nine members of the Historical Board could be in attendance. They voted not to designate the property at Asturia Avenue -- 1208 Asturia Avenue as a landmark at a vote of 5 to 4. I'm available for questions, if you have any.

Vice Mayor Lago: Now, we'll move on to have a presentation by the appellant. You will be -- you will have a max amount of 15 minutes. Before we move forward, I just wanted to make sure that we told -- that I put it on the record, along with my colleagues on the Commission, thank you, Kara, for your efforts. And please tell your staff that they've been more than accessible not only to myself and to my colleagues, but to members in the public who have had an interest in regard to this property. So, thank you very much for your efforts. So, now we have the appellant, who'll have 15 minutes to provide a presentation. Thank you.

Ms. Cerda: Good morning, Vice Mayor and Honorable City Commissioners and staff. My name is Vicki Cerda. I am not a lawyer, so I would like to start with that. I was put in this position when the City Manager did not appeal in support of his department's report. I'm a long-time resident of Coral Gables and a member of the Historic Preservation organization. And architecture and the arts and culture in general is very important to me, as I know it is to the City of Coral Gables. It is why we are here, and we live here to begin with. I have been following this case very closely from the very start, and I have read all the official documents and filings, all of the various media

articles that have been written. I've spoken to the History Miami Museum downtown, where the Pancoast family's archives reside as one of the pioneering families of South Florida. I have visited the Architecture Library and the special collections of the University of Miami, and I have spoken to many, many, many neighbors. And everyone has urged me to go on and do this. This is the right thing to do. So, I am here representing more than a hundred neighbors, and I would also like to stop at this point and give my condolences to the family of Arva Moore Parks. She is an exemplary person, and I know firsthand that she was behind supporting this. So, I'm here to present really why this appeal should be granted. As you know, it has had very strong backing. Originally, before the January 15 meeting that Kara mentioned, there were 55 letters of support for residents for historic designation. I can assure you that that has been an unprecedented number that has come in. When the board denied it on the fourth of March, the City Manager got 35 letters asking him to appeal the decision because it was not understood why the board did not accept it. And I personally got 57 signatures to appeal the fee waiver when I walked around to do this, and yes, during the time totally in the middle of the COVID-19 emergency situation that we find ourselves in. So, I am here representing a lot of people and I would like to make to you the case for the appeal. To start, let me read the mission of the Historic Preservation Board. The nine-member quasi-judicial Historic Preservation Board has the following directive: "Preserve and protect historic or architecturally worthy buildings, structures, sites, quaint neighborhood and artifacts which impart a distinct historical heritage of the City." The expert staff -- because that's what they are -- of the Historical Resources Department, they did their job and they did it very well. When the owner applied for a demolition permit, it set in effect a series of events, one being the designation report that they thoroughly came up with. As Kara mentioned, the property did meet the criteria, and not only did it meet one -- which is what is required -- it actually met three. Billy, at this point, please, could you start the presentation, PowerPoint? Okay, here you see the house, so we all have a visual. It's -- this was taken about three years after it was completed, lovely palm trees. I wish they were still there, but this is all -- this is the property that we're talking about. Next slide, Billy. This is really the crux of the entire appeal. These are the criteria that the house fits. Under historical and cultural, criteria number four, and under architectural, criteria one and two. These are the same ones that Kara alluded to at the start. The specifics of each of these

three criteria were then very carefully detailed in the Significance Analysis and Description Section of their Designation Report. It includes a large number of figures and examples that detailed why the house qualified. And I agree that not all structures are historic or should be saved, but I can assure you that this one is one that should be, and it qualifies. The decision of the Board was wrong because this property met the criteria. This is what the Board is tasked to do. Other factors that have to do with, let's say, economic hardship or plans for the property have no bearing at this point. The staff's designation report is correct, and it was very well researched. It cites 23 resources in the bibliography. The report cites Russell Pancoast, the very famous architect, three times just on page one. Page 20 details about eight other properties that he did in Coral Gables, including the office building of Fairchild Gardens. So, why didn't the Board take the recommendation? It's kind of a mystery, actually. Did they just not understand the report? Did they just not like the findings? Were there any conflicts of interest occurring that maybe anyone knew the family? Were there any real estate interests involved? Did they have any preexisting bias? Because, yes, there were several ex-parte communications that took place and actually with errors and inaccuracies. We will never know because the dissenting members of the Board really did not give any reasons for their vote. This doesn't hold up to the fact that the City staff experts have spoken and that their designation report is spot on. The staff does not make blanket statements. They work with facts and they work with proof. Historic determination is based only on Code and criteria. The nomination of this property by the City designated the property as eligible for historic designation. Let's dig in a little bit deeper on these two items, on these two criteria. Billy, please, if you can go to the next slide. Okay, here is the property. As you can see, it looks very, very different from some of the other properties that are on Asturia. It has been brought up by others that this house is one of many, a cookie-cutter house. I can assure you that this is not the case. This is a singular early example of a custom house on a prominent city block by a nationally acclaimed architect, Russell Pancoast, who has been known for breaking new ground and for his cutting-edge thinking. It is one of the first modern influenced residences in this style in Coral Gables, breaking away from the Mediterranean Revival that launched a new chapter in the stage of future Coral Gables architectural history. It is not a reproduction. It set a precedent and it set a style. One year after it was completed, this house was mentioned in the very first

Miami Book of Homes in the Fall, in a two-page spread, where the article calls the home a modern Florida-style bungalow and hails the home as precedent setting. "This house very definitely has style, but no precedent. Pancoast uses this newly emerging typology as a different unique and specific response to the local climate with its one-story plan, wide overhangs and large windows for cross-ventilation. He also incorporated modernistic influences of art deco and Art Moderne." Pre-war houses, ranch houses as this one, were transitional, precedent setting, and serve as a precursor to the post-war ranches that were then popularized across the nation. So, please do not confuse this house with later connotations of cookie-cutter, prolific 1950s quick and dirty post-war housing. This house is not one of them. I would like to point out that the houses in this era were really associated with affluence and high-style design. They were custom designed. Intentionally, this house is unpretentious and is hailed for its sophisticated simplicity. As a matter of fact, the first two owners were doctors. And the general contractor who built this house worked with many other acclaimed architects, including Phineas Paist, which as you know was the architect of many important Coral Gables buildings, including the one some of you are sitting in today. Billy, please, the next slide. Okay, let's talk here about the historical cultural significance. Coral Gables has broadly been defined into three major historical periods; the early, pre-hurricane 1926 era, the aftermath of the 1926, after the Depression, and then the more modern period after 1945. This house sits squarely in the middle. It was designed between 1936 and 1937. The Mediterranean style was completely out of favor, completely. Also, Coral Gables was replacing this style with many other styles, including the villages, the Chinese, the Dutch South African, three French, not everything in Coral Gables has to be Mediterranean. We are a living city and we are moving on. But 1208 is a 1930s revolutionary pre-war post-war -- not a post-war example. Billy, please, the next one. It also is very important to note that this house has very few changes to its character-defining features. There have been no additions to it, so it is substantially unaltered. It has a high degree of historic integrity and it is in excellent condition. I remember well the Davison's taking care of this house left and right. They have a beautiful garden in the back. They love this house. It is in great condition. Alright, so let's move on to the support number that I have already alluded to at the beginning. Next slide, Billy. We have had an incredible amount of support, 59 letters to support the designation originally -- actually, make that 55. That is mistake.

Fifty-five letters to support the designation originally. Actually, it's not a mistake. I just remembered, 59 letters. One letter only to not support the designation. Thirty-five letters to the City Manager to please appeal after the March 4 decision. And 57 neighbors supported me with the appeal fee waiver. I don't know how many have come into the City in support of this, but the City Clerk will let us know at a future date. It's very important to note this. I am not representing myself. I am representing our neighbors, and actually, I am supporting the Coral Gables staff who nominated this property. Billy, at this point, this is the end of the PowerPoint. So, I would like to move on as to why we need to grant this appeal. Obviously, all of the above that I have already said, but there are a few more reasons. The listing that Kara mentioned at the beginning said that the house may qualify for designation. This was put by the seller's realtor. It was actually the very first thing in the listing. You could not miss it. But I also want to note that the buyer's agent was the owner's daughter, the same one that was getting married and is apparently supposed to live in this house in the future. I think that's important to note. She's a real estate agent. And I would think if you're looking at a house you're going to live in, you would really look into this in very much detail. Demolition is never a given. Also, as proven by the staff's report, this is a one-of-a-kind, non-renewable resource in Coral Gables. This is about following Code and designating the property based on facts and City Code, not whether you like or do not like the way the property looks. No one has proven that the staff's report is incorrect either because it's not. It has really cast doubt on the Coral Gables city government's decision-making process, and that's why I think you have found so much support and so much discussion about this case. And let me also say that, as Kara mentioned, Coral Gables is a certified local government, which means that they have standards they have to follow. The buildings that comprise the Coral Gables register of historic places portray the City's story of progress, change and, yes, preservation. To not designate 1208 would put in jeopardy possibly losing the CLG status, which has major repercussions in terms of credibility and grant funding. This is another key consequence of not designating this property. So, in closing and conclusion, the bottom line is that the City of Coral Gables nominated this property for designation. Expert staff qualified it on three criteria. Any one of them is enough. The decision whether the property meets the cri -- the decision is whether it meets the criteria; it does, end of story. It's very simple. I don't see what we're arguing about. Rules are there for

everyone to follow. The Board was wrong to refute it. It was designed by a maverick architect. It is in great condition, retains integrity. Residents and concerned citizens have spoken up loud and clear. Media have taken an unusual interest. May is Historic Preservation month. How ironic would it be if the unsupported decision of the Board is not overturned or overridden, as you have quoted in a different word, but it means the same thing. How ironic would that be? Commissioners, I urge you to do the right thing so that we can undo the past wrong decision. Please don't just let us know that you care. Prove it with your vote. I thank you on behalf of myself and the many, many neighbors that I represent. Thank you.

Vice Mayor Lago: Thank you. Thank you very much. I appreciate you staying within your 15 minutes, your allotted time. I ask now for the presentation by the property owner's counsel, Mr. Mario Garcia-Serra. You have also been allotted 15 minutes. Billy, please commence the time. Thank you.

Mr. Garcia-Serra: Good morning, Mr. Vice Mayor and Commissioners. Can you hear me?

Vice Mayor Lago: Yes, sir. Good morning.

Mr. Garcia-Serra: Excellent. My name is Mario Garcia-Serra. My offices are at 600 Brickell Avenue. I am here today representing the property owner, Ms. Lourdes Valls, and her family. The property -- they are the owners of the property located at 1208 Asturia Avenue. I'm joined today by Ms. Valls, her daughter, Desi, and her husband, Nicholas Lebess. Desi and Nick have been married for about a year now and hope to construct a new home on this property. I'm also joined today by Mr. Ramon Pacheco, our historic architecture expert, who provided expert testimony before the Historic Preservation Board at the hearings below. Mr. Vice Mayor and Commissioners, the question before you today is whether the issue of the proposed historic designation of 1208 Asturia was correctly decided by the City's Historic Preservation Board, a board of experts in their field, which are, for the most part, appointed by the City Commission. We feel very strongly that after much deliberation and delay, the Historic Preservation Board did

reach the right decision in deciding not to designate 1208 Asturia Avenue as a historic landmark, and that you should affirm and uphold that decision. While City staff and the appellant have made a determined effort to have this house designated historic, the record before you establishes that they have fallen short of satisfying that the building is of such unique and important value that it needs to be preserved forever, regardless of the cost and consequences to the property owner. Keep in mind two terms that I have used in this presentation thus far, forever and historic landmark. Whether to designate this property or not is a forever decision, which the Code permits only when you determine that the building involved is a historic landmark, your term, the term used in a building so iconic and important to the City's history and identity that it needs to be preserved forever for the sake of posterity, regardless of the cost and burdens imposed. Historic importance is what it comes down to, not interesting facts or details or admiration for the building's architect or how many other individuals you may have gotten to write letters in support of the proposed designation, but the historical importance of the building in question. Your Historic Preservation Board reached the decision to not designate this building with regards to both substantive and procedural grounds. On the substantive merits, City staff and the appellant have alleged two general areas of historic importance. One is historic/cultural, and the other is architectural significance. The facts simply do not support historic landmark status, either area. On the historic and cultural side, the argument is that the home was an innovative and groundbreaking precursor to the ranch style in Coral Gables. This home certainly did not originate the ranch style. As you could see in the materials submitted to the Historic Preservation Board, the ranch style of architecture originated from the work of another architect by the name of Clifford May, in the 1920s, in the western part of the United States. This home certainly did not lead to a great trend of ranch-style homes in Coral Gables. It would take another 10 to 15 years to see that style establish itself in Coral Gables, and at that point, it was following a greater nationwide trend, which was underway at the time. By that time, the ranch style became -- became one of many styles in the Gables and not necessarily a style for which the City has been known or exemplifies the City, nor does it exemplify the style of architecture on this block. The facts simply do not support the exertion that this was a trendsetting home. It simply was not. The other area of alleged historic importance is architectural significance. Here let me point out that everyone on our side has

tremendous respect for Russell Pancoast. Mr. Pancoast was a great architect, but this does not mean that every single project of his merits to be designated as a historic landmark. The Surf Club in Surfside, the Bass Museum of Art and the Women's Club in Miami Beach, these are great works of Mr. Pancoast and are already designated as historic landmarks, as they should be. In the category of single-family homes, 1208 Asturia simply does not rise to the same level of magnitude. There are a few who have the same level of expertise in Coral Gables homes and Mr. Pancoast's work more so than our expert architect, Mr. Ramon Pacheco. Mr. Pacheco has been a practicing architect for over 40 years. For decades, he has served as the first level of architectural review in the Cocoplum and Gables Estate subdivisions. Mr. Pacheco knows firsthand what good architecture is about and has practiced it all of his life. More importantly, for the purposes of this question before you today, Mr. Pacheco knew Mr. Pancoast. Mr. Pancoast worked with Mr. Pacheco -- excuse me, worked with and for Mr. Pancoast. And Mr. Pacheco has, in the past, been involved in, when appropriate, preservation, renovation and addition to Pancoast-designed homes. And when appropriate, he has been involved in the replacement of Pancoast-designed homes when they didn't merit preservation and something new deserved to be built. You can see from the transcripts of the hearing that Mr. Pacheco's strong opinion is that this is not a building which rises the level of a historic landmark. The facts simply do not support the assertion that this is a great work of architecture. It should not be a surprise. This home has essentially gone unnoticed until last year. At the second hearing before the Historic Preservation Board, the appellant did not appear in person, but did submit in writing that 1208 Asturia was shown in a mural of Coral Gables history, which is on display at the Coral Gables Library, and which was done by Mr. Pancoast's wife. The appellant also submitted into the record copies of excerpts of the 1938 Miami Herald Book of Homes. I would ask my colleague Lauren Kahn to now put up the side-by-side presentation of the image in the mural and the picture of the home. You will see that a simple side-by-side comparison of the mural image and the image of the actual home in the (INAUDIBLE) that this is (INAUDIBLE) home. The front door and chimney are in a different place. The garage and gable are missing, as are the exterior shells. And the features by the doors are wrought-iron circular decorations, as opposed to wooden shutters. This is simply not an esteemed building. And even if it was, its inclusion in a mural by the architect's wife does not

necessarily make it historic. Similarly, Lauren, if you could now show the '38 Miami Herald Book of Homes excerpt. The Miami -- the 1938 Miami Herald Book of Homes is being put forward as evidence of historic significance when a closer examination of that document -- and Lauren, if you could go through the different excerpts there -- shows that it was a sort of marketing and advertising material, a precursor to the sort of real estate advertisements that are very common in the Herald today. It talks about what you need to do to finance a new home; talks about what contractors and subcontractors have done other homes, which you could potentially hire in order to build your new home. It was a sort of how-to. It was not the Architectural Digest of its time. Lastly, a realtor mentioning in a listing that the home might be historic also does not make it historic. The facts need to support historic significance. Just because somebody declares that it is historic or that they think it's historic does not make it historic. Again, not every project of a great architect is a historic landmark. Great architects sometimes do average or above average buildings. Quite often, they are just responding to client preferences or economic factors. Sometimes, they just get it wrong. Please note that City staff did not invoke the criteria that this is an outstanding work from a (INAUDIBLE) designer because it is not. Ask yourselves, is this building of such quality, of such historic importance, that it still needs to be standing 100 years from now? Because otherwise, Coral Gables would have lost part of its identity, part of what the city is all about. Your Historic Preservation Board doesn't think that was the case and they got it right. Mr. Pancoast was a great architect, and in this case, he designed a good home (INAUDIBLE) time, but not a historic landmark. It is a building that served its owners well for a time, but not a building which has to be preserved in posterity forever. From a procedural perspective, the Historic Preservation Board acted (INAUDIBLE). As you are aware, the vast majority of the time, City staff and the Historic Preservation Board are in agreement. This was one of the few times when the Board was not in agreement and they did not take it (INAUDIBLE). They did their mission; they served their purpose. They thought about this long and hard and with the spotlight of media attention on them at all times. Some have commented that because more board members did not explain their vote, the vote was somehow (INAUDIBLE). The Board's responsibility was to decide the case based on substantial competent evidence, and they did. There's no requirement that each board member engage in an explanation of why he or she voted the way they did. The Board did its job here, and

it did it well. The City has done an exceptional job of preserving the history of the City. Such a good job that many are always pushing for more. And I assured that there is more to be done, but this home is not part of that mission. The Board correctly decided this matter in both substantive and procedural grounds, and that decision should be affirmed. It is time to let Desi and Nick build their new home and start their family. We are not losing any irreplaceable historic landmark here. We are allowing a new generation of Coral Gables residents to fulfill their dream of living and raising a family in the City Beautiful. The facts are what should guide your decision. The record below is what should guide you, not how many people are coming out either pro or con on this proposed designation. There are significant rights involved here for the property owner. This case was properly vetted through the process, having twice been determined by a majority vote of the Historic Preservation Board. It is now time to bring this process to a conclusion and allow my clients to build their new home and be welcomed in the Gables. And (INAUDIBLE) continue (INAUDIBLE) by media (INAUDIBLE) hearing (INAUDIBLE) a private and personal matter. Thank you very much. Those are the conclusions of my comments. We do have some letters of support from various neighbors, including neighbors abutting the property, which have already been submitted.

Vice Mayor Lago: Mr. Garcia-Serra, thank you for your presentation on behalf of your client. Have those letters been submitted to the Clerk for consideration?

Mr. Garcia-Serra: Yes.

Vice Mayor Lago: Into the record?

Mr. Garcia-Serra: Correct.

Vice Mayor Lago: Okay, perfect. With that being said, the next order of business would be any questions by the Commission from staff or any additional parties.

City Attorney Ramos: Vice Mayor, I would like to just let the Commission know that your role today is to determine whether the Historic Preservation Board followed the Code and -- or whether they committed error in applying the criteria set forth in 3-1103. That is what you are duty bound to determine today.

Vice Mayor Lago: So, moving forward, does anyone in the Commission have any comments before I open it up to public comment?

Commissioner Fors: I do have a few questions...

Vice Mayor Lago: Okay.

Commissioner Fors: If I may. I think I have a couple of questions for Mr. Garcia-Serra and a question for our staff on (INAUDIBLE). Mr. Garcia-Serra, the appellant stated that (INAUDIBLE) historic designation versus (INAUDIBLE) right of (INAUDIBLE) is not something that we're allowed to consider under the Code. Do you believe that that should be part of the analysis?

Mr. Garcia-Serra: Commissioner Fors, the primary issue before you are whether the matter met the criteria or not. However, property rights, you know, are, I think, a legitimate consideration to be taken into consideration with regards to the overall issue of historic preservation and the process that's being played out here.

Commissioner Fors: And...

City Attorney Ramos: Commissioner Fors, I do need to make clear that it's well established case law that the designation of a property as a historic landmark is not a taking, so I just want to make that clear because Mr. Garcia-Serra spoke about property rights.

Commissioner Fors: Okay, I understand that. And final question for Mr. Garcia-Serra. Ms. -- and I'm sure you dissected Article 3-1103 on many occasions. The appellant says that these are (INAUDIBLE) criteria (INAUDIBLE) constitute rules and that if (INAUDIBLE) criteria is met, the Board and conversely, the Commission, must designate historic. In your reading of the ordinance, does it -- are these rules that require designation upon the meeting of certain criteria or not?

Mr. Garcia-Serra: The duty of the Board is to determine whether those criteria are met or not. And in this case, they looked at it and they determined that it was not.

Commissioner Fors: Is there any basis for ruling that it is not to be designated historic despite findings that criteria are met, or at least one?

Mr. Garcia-Serra: There is -- at the end of the day, this is a decision of the Board, at first instance, and now yours as to whether they correctly decided. And so, there could be various grounds by which you arrive at the decision as to whether they correctly or did not (INAUDIBLE).

Commissioner Fors: Thank you. I have one question for our staff, if she's available and not muted. We heard -- and I've read the staff's report and most if not all of the material that was presented in connection with this agenda item. There is -- I think even by the staff's own admission -- the evidence or the history from the record that ranch-style homes were sort of produced in response to, you know, the economic downturn (INAUDIBLE) Great Depression, that they were mass produced. And the staff report says that as well. The appellant -- I believe it says on the flip side, after speaking about the values of ranch homes, it says, on the flip side, they were mass produced, et cetera. The appellant said that this was not a cookie-cutter ranch home. I mean, I think in my reading of the reports and the history is that it is accurate to say that ranch homes were produced in cookie-cutter fashion, mass produced, but not that all ranch homes were. Now, why is this house not one of the mass-produced, cookie-cutter ranch homes, or have I misstated the report?

Interim Historic Preservation Officer Kautz: In the early -- a bit of mistake. In the early 1930s, when this house was designed and constructed, ranch houses weren't typically called ranch houses. At the time, they were a new typology. This house was designed by prominent architects. It was one of three homes that he designed in the 1930s in the City only. It was not a mass production. It was very specifically designed in his style, adapting from the Mediterranean Revival style to a more modern typology. When the -- after World War II, when the soldiers returned from war is when it became inundated with the cookie-cutter ranch typology that everyone associates with the term now. And then this is an application of the term ranch to a previous style that had those hallmarks that wasn't really called that at the time. It was called a bungalow in certain places. So, the ranch -- this particular ranch was 10 to 14 years before you saw any of those mass produced, really speedy, not so clearly articulated versions of a ranch style. So, no, this does not fall into the cookie-cutter, you know, typology of the ranch that proliferated in the (INAUDIBLE).

City Attorney Ramos: Commissioner Fors, to your previous question, I'd just like to read what Section 3-1104 says at the beginning. It is titled "Designation Procedures," and it states, "Properties which meet the criteria for local historic landmark and local historic district, set forth in Section 3-1103, shall be designated according to the following procedure.

Commissioner Fors: Thank you.

Vice Mayor Lago: Commissioner Fors, any other questions?

Commissioner Fors: No, that's it. Thank you.

Vice Mayor Lago: Thank you. Those were very helpful. Commissioner Keon, Commissioner Mena.

Commissioner Keon: I can go next. I think it's important to note -- and Commissioner Fors brought up this issue of ranch styles homes -- is that at the time, as Kara said, this one-story, you

know, type home with, you know, wide overhangs and, you know, that took advantage of the breeze that goes through a home or whatever just was not a style of home that was being built here in the City and was not prolific around the country. Now, out west, I think in California, because of the same similar conditions that we have here of heat and breeze and whatever else, homes were modified and built, you know, to accommodate those things, as well as many, many other typologies. But I think it's the history. This home plays a role in the history of the development of our city in that we did start as a Mediterranean Revival when Merrick first started. The City went through the hurricane in '26 that, you know, devastated all of South Florida, the railroad and everything else, and there was very little building after that because then it was the Depression and it really was only as we came out of the Depression that they began to build again in the city. And there was some Mediterranean style, but it moved from Mediterranean style to a variety of different styles that you see in some of the older homes, particularly in that -- this area of the city because this was the area of the city that was, you know, closest to downtown, and this is really where the City grew up from. So, it has a lot of different styles of homes in it although not often -- some huge homes because of Granada and Alhambra and some of those, you know, the way they were platted, but not necessarily on Asturia or some of these other streets. But it really does mark a change from -- in the architectural style that was being built in the City, and this was the first. It wasn't named ranch now -- at that time. It sort of came under that catchall of that type of home many, many years later. But it wasn't -- you know, then you had this little bit of development here in the city, you know, in the '30s, and then, you know, we entered -- it was World War II. And it really wasn't until after World War II when so many soldiers had been stationed here and come to Miami, and people had come to Miami in -- related to the military and whatever, that we -- people wanted to come back here and started building homes. And you know, that's when I think the ranch style home became popular, but for this home wasn't that home, you know. So, it really marks a change and a time in history in the building and the development of our city. And it really is a quite interesting home, and it sort of takes some pieces of art deco. It has some Art Moderne. It really is a rather, you know, distinctive home, residential home for our city. And I think it's important that we're not talking about national landmarks. These are local historic landmarks. So, they're local building that reflect the growth and the development of our city. So, I think it really

does serve that purpose. And you know, we have gone to court over our designation of homes and it has been upheld -- and the City has been upheld in court and we have been allowed to put conditions on people in the redevelopment of some significant homes in our city. So -- and I know, you know, this isn't -- it's -- under law, it is not a taking. I mean, you maybe feel that, you know, you, personally are having something taken away from you. But in the court of law, it's not a taking and we have the right to do that under our local historic landmark ordinances. And it's interesting because I know I was in Oak Hill, Illinois a couple of years ago and did a tour of Frank Lloyd Wright's home. And you, so it wasn't -- the only thing that, you know, for prominent architects and in architectural trends, it doesn't mean that it's only the very best or maybe one or two of their homes. And I think everybody knows Fallingwater. But if you go to Oak Hill, there is a whole tour of homes, just regular residential homes, that were designed by Frank Lloyd Wright that, you know, are interspersed among other types of home. And it -- that is part of the history of that city related to a very popular famous architect. You know, this is the same thing for us here. I think it is important. I think it does meet the historical, culturally significant. It does meet architectural significant. And you know, we're not here to determine our own personal feelings about whether people should have the right to knock down homes or any of that. That's not our role here. Our role is to either affirm or not affirm the findings of the Historic Preservation Department. And so, I think that how you could -- I think in the presentation that they gave us, it would be very hard for me to understand how someone could say that the evidence that (INAUDIBLE) or the report that was before it by the department would not be affirmed, that it doesn't do these things. It absolutely does. It does exemplify historic, cultural, economic, social trend. It does portray the environment and an area of history characterized by one or more distinctive architectural styles. It certainly does. It was very different than anything else that was being built. It embodies those distinguishing characteristics of an architectural style or period or method of construction. You know, it is an outstanding work of a prominent designer or builder. You know, it contains elements of detail. Now, I think the three that the Board actually -- or the Department looked at was the historic cultural influence, and the other was the architecture influence. (INAUDIBLE), I don't think that was really what they based their decision on. And it's my understanding and I listened to the tape of the meeting that was available on YouTube, that

that was -- you know, that was how they -- the Department wrote their report and presented it to the Board. And in listening to the Board, I was surprised because the people that voted no didn't give any reason for why they voted no. I mean, there was no -- it wasn't a robust discussion about, you know, these elements or anything else. It was more -- that kind of surprised me, so -- but I do -- you know, for me, I think that the way it was presented under the action of the Board and what they're required to do, and what they're tasked to do, it's hard for me to understand why this was not designated. Thank you.

Vice Mayor Lago: Commissioner Mena, any comments?

Commissioner Mena: Thank -- yeah, thank you, Vice Mayor. I'm going to reserve some comments until after we hear from the public, but I had a couple of questions. I'm not sure if Mr. Garcia-Serra is still unmuted, but if he's not, if he could be, please. Mr. Garcia-Serra, during his presentation, you sort of tried to narrow the scope a little bit about what the standard is here, and I think you used the phrase "historic landmark," and that's really the linchpin and the barometer. And that was sort of part of the theme of your presentation. But my question is, I'm sitting in a quasi-judicial capacity here hearing an appeal of this decision, and it's my understanding of the standard that has to be applied by that board is that based on the substantial competent evidence, they have to determine that none of the criteria are satisfied. I'm not aware of the historic landmark, you know, standard that you're using being the sort of linchpin, and correct me if I'm wrong. And so, what I'm trying to hone it on in making this decision is I have a staff report which said that at least three of the criteria were satisfied (INAUDIBLE) those reasons. So, I would have to -- in reviewing the Board's decision, I would have to agree that none of those criteria were satisfied. Is that a fair statement, Mr. Garcia-Serra? Is that your understanding of the standard as well?

Mr. Garcia-Serra: Yes. That is a fair statement. In other words, the term that is used by the Code for any historic designation, whenever you're designating a building, you are designating it as a historic landmark. That is a term used by the Code. In order to be a historic landmark, you have

to satisfy certain criteria, at least one of a list of criteria. The Board looked at all those criteria after considerable back and forth between all the parties and considerable input from City staff and determined that none of those criteria were met. And so, that is the decision which you are reviewing today by a panel of experts that are appointed for their knowledge of these sort of issues and to decide these sort of issues. And may I point out, to decide it when it is tough, you know, when -- you know, when there is a difference -- a potential difference of opinion. And they made their decision and I think they made the right decision based on the substantial competent evidence that was before them. And again, they don't need to themselves each write an opinion and as to why they're voting the way they're voting. We just need to have substantial competent evidence on the record to support that vote, and there was. There was expert testimony on our side in regard to the criteria that are involved in historic designation.

Commissioner Mena: The other question I had for you, there's been a decent amount of discussion about the sort of notice aspect of this, right, that there was this listing which said it may be designated, and therefore, they were on notice, so on and so forth. Is notice -- as far as I'm aware, there's no requirement of notice as part of this process. There's a process for historic designation, whether or not you have notice. Now, we can get in -- there's a factual issue here about the fact that there was a listing which said it might be historic. And therefore, one would argue they were on notice. But my more fundamental question is there's no requirement in the historic preservation designation process of notice; is there?

Mr. Garcia-Serra: Well...

Commissioner Mena: Other than notice of, you know, once there's a designation sought and a hearing of the board and so on and so forth. Prior to that, you could be living in your house for 10 years, right, and somebody could seek designation. Isn't that right?

Mr. Garcia-Serra: That is correct. There is also, as you mentioned, the typical sort of notice requirements for public hearing regarding posting of property, publication, mail. And you know, those were complied with in this process.

Commissioner Mena: Right.

Mr. Garcia-Serra: But indeed, you know, the way that the Code is written right now, you could be in your home for a significant amount of time and some other third party, not even yourself or not even the City could come over and trying to propose it as historic. And again, you know, we have to make the point just because a realtor lists in a listing that they think it might be historic or whatever it might be, that does not make a building historic. The historic designation has to be supported by the facts on the record. And a real estate listing -- one that my client never saw -- does not -- should not be a factor in deciding whether this property is historic or not.

Commissioner Mena: But I guess the fundamental question I have is it's irrelevant whether the listing said or didn't say that and whether they saw or didn't see it because it's not -- sitting here today, it's not part of the required process for historic designation, setting aside what people feel about that process.

Interim Historic Preservation Officer Kautz: May I answer why it's...

Commissioner Mena: Yes.

Interim Historic Preservation Officer Kautz: Why we think it's relevant. In 2004, the Zoning Code was amended to include the historical significance determination section, which means that any property to be demolished in the City, whether it was built in 1920 or built last year, has to get a letter from our Department asking whether or not it's historically significant. If we find it to be significant -- as we did this property -- we take it to the Historic Preservation Board. If we find it not significant, it doesn't meet the criteria of the Zoning Code, then it's allowed to be demolished.

So, we've worked really hard with realtor groups throughout the City to inform them of this change to the Code. It's been in place for 16 years now, so it's not a new change. The reason why that's important is that if that's somewhere in a listing, real estate listing, it's a heads up that you should probably find out from the City if you can demolish the building or not before you purchase it. So, that's the reason why it's somewhat relevant in that, you know, there's due diligence.

Commissioner Mena: And I appreciate that. And probably relevance is not the right word. I understand -- your point's well taken. Obviously, we would prefer that people have notice of the potential -- such as designation. I'm just -- I'm sitting here in a quasi-judicial capacity, and at the end of the day, whether or not they had notice, this process has played out the way it has. And our determination sitting here today has to be based on the standards that were implemented by the Historic Preservation Board in applying the facts to the required criteria that are addressed in your report, and that notice is not one of those criteria. Okay, Vice Mayor, I'll reserve additional comments until after the public has an opportunity to speak.

Vice Mayor Lago: And I appreciate it, and your point's well taken. I just want to make sure we clarify something on the record. As you mentioned, we're in a quasi-judicial capacity. But Commissioner Keon mentioned that we got two options at our disposal. We actually have four, and it's important that we put that on the record. Again, like our City Attorney has done, we either affirm the Historic Preservation Board's decision, we either affirm Historic Preservation Board's decision with conditions, we either override Historic Preservation Board's decision, or we remand it back to the Historic Preservation Board. So, we're going to have public comment. Before we move to public comment, I want to make sure that I ask just one simple question. I'll reserve my comments also after public comment. Kara, could you do me a favor and just give me an idea. You may not have this information. How many properties -- ranch-style properties, like the one that I'm fortunate enough to live in for the last eight years, have been designated historic in the City of Coral Gables?

Interim Historic Preservation Officer Kautz: One.

Vice Mayor Lago: One? One property?

Interim Historic Preservation Officer Kautz: An H. George...

Vice Mayor Lago: Okay, and who was...

Interim Historic Preservation Officer Kautz: An H. George Fink residence. It was another ranch -- it was a custom ranch on Candia.

Vice Mayor Lago: Pre-war or post-war.

Interim Historic Preservation Officer Kautz: It was a 1950 -- hang on. I do have that right here. It was a 1950 contemporary ranch. It was designated in December of 2015.

Vice Mayor Lago: Okay. I don't want to put on the record, obviously, just to make sure that we protect that person, but just for my own interest, I'd like to learn about that property, having a ranch-style home. What we're going to do now is we're going to open it up, unless our City Attorney has any other comments, or my colleagues have any other comments on the Commission. We're going to open it up to public comment. So, I ask Billy to please move forward and allow for two minutes per speaker. And obviously, we can be a little bit flexible on the two minutes, but we ask everybody to be considerate of all the people that are here today. Thank you.

City Clerk Urquia: Vice Mayor, the first speaker is going to be Ms. Dona Spain.

Vice Mayor Lago: How many --? Oh, before we have the privilege of seeing -- of listening to Dona, how many individuals do we have that are interested in speaking today?

City Clerk Urquia: Up to right now, I believe we have 12.

Vice Mayor Lago: Twelve, okay. Thank you very much. Ms. Spain take it away.

Dona Spain: Good morning, everyone. Can you hear me?

Vice Mayor Lago: Yes.

Ms. Spain: Okay, great. I'm enjoying my retirement. So, I just want you all to know that I started this. It was when I was the Historic Preservation Officer that it came in as historic significant request, and I determined that it was historically significant. That was after speaking with Kara and also Elizabeth in the Department, and we always did that for any of the ones -- and it's important for everyone to understand that the majority of these significance determinations are not sent to the Historic Preservation Board. From January 2017 to December 2019, there were 230 historic significance determinations that we reviewed, and only 16 of those were taken to the Historic Preservation Board; and of those 16, only 7 were designated. So, those seven represent 3 percent of the -- of that 230-significance determination. The rest, 223, were allowed to be demolished. And so, that's really important. People seem to think that the Department wants to designate everything. That's just not true. And so, it's important when the staff does take things, that the Board pays attention to it. I do not believe the Historic Preservation Board followed the Code. I have real concerns with the Mayor's appointee, Raul Rodriguez, who started talking about his concerns on the criteria. That's not his job. Those are national criteria that he's required to determine whether or not it meets them. And we cannot change that criteria or we would risk the certified local government status that the City has. And Mr. Lago, your appointment of Alicia Bache-Wiig, I don't know what she was thinking. She doesn't seem to want to designate if the property owners are against it, and property rights have nothing to do with these criteria. That can come in later. The cost and burden theoretical of historic preservation is taken up after the designation, if it fits the criteria. Mike Sardinias is Pat Keon's appointment on that board. He's missed meetings, and he -- I don't know whether he understands it, although, we gave a workshop when I was the Preservation Officer. I have concerns about his appointment on the Historic

Preservation Board. Commissioner Fors, Xavier Durana, I don't know whether he is even in favor of historic preservation. And Peter's appointment, Cesar Pons, I love. I've known him for years. So, I don't know what he was thinking during this, but I believe it should be designated. I will say to Commissioner Mena, Peggy Rolando, I really appreciate her being on this board. She doesn't always agree with staff, but she's a hardcore preservationist, and so is the Commission-As-A-Whole appointments of Bruce Ehrenhaft and Albert Menendez, and also, the Board-As-A-Whole appointment, as John Fullerton. I would encourage each of you to speak to your individual appointments and talk about historic preservation and the importance of their role, which is only to look at the criteria. And I would ask that you uphold the appeal because this absolutely fits the criteria. That's it.

Vice Mayor Lago: Thank you. It's always a pleasure to have you back.

Ms. Spain: The way I used to.

Vice Mayor Lago: No, but it's always great to see you. And send our best to your husband and I hope he's feeling well.

Ms. Spain: Thank you. Thank you very much

Vice Mayor Lago: Thank you. Next speaker.

City Clerk Urquia: Vice Mayor, the next speaker is Alice Goldhagen.

Vice Mayor Lago: Take it away. You have two minutes. And by the way, I received some comments...

Alice Goldhagen: Hello. Can you hear me?

Vice Mayor Lago: Yes. Before you start, I just want to put this also on the record. You know, while this is a public hearing item, public comments are not sworn testimony on this issue. So -- because someone had sent me a text message, you know, saying if people have been sworn in, and I want to put that on the record. Thank you.

City Attorney Ramos: And also, Vice Mayor, if people could please state their name and address when they speak.

Vice Mayor Lago: Yes, thank you.

Ms. Goldhagen: Hello. My name is Alice Goldhagen. I live at 6395 Maynada Street. I've been a Coral Gables resident for many years, going to Ponce Junior High, Coral Gables High, and I received my master's degree from the University of Miami. I'm a visual artist and art educator. I was involved in the early appreciation of art deco on Miami Beach. It's hard to believe that several decades ago, the Art Deco District was at risk. Every year, I had an art deco unit with my students, and we would go over to Miami Beach and the students would draw one of the art deco hotels. The students expressed themselves through art, and for them, it was like adopting an art deco building. Their parents told me that the hotel became their building. I received awards from the Miami Design Preservation League for my efforts to encourage preservation, and also, Teacher of the Year. Art Deco was not mainstream at that time on Miami Beach when I was involved. Everything is new at some point. Buildings achieve significance over time. Architecture is a form of public art and history. The Biltmore was going to be demolished at one point. We need to be inclusive. Just like in art, how we have Picasso's cubism and Monet's impressionism, we have many architectural styles. Are you going to tell the world of architecture which style is right or wrong? No, we need to be inclusive. Like our Code says, we preserve many styles that tell our collective story in Coral Gables. The ranch style was revolutionary and successful. Be fair and consistent. Other ranches have been designated. We go through this with every style. At one point, the Douglas Entrance and Biltmore were going to be raised. The Biltmore is Coral Gables'

Eiffel Tower. Don't let 1208 Asturia be demolished because it will never come back. Thank you very much.

Vice Mayor Lago: Thank you very much. I appreciate your comments. Billy.

City Clerk Urquia: Next is Ms. Karelia Carbonell.

Vice Mayor Lago: Ms. Carbonell, two minutes. Yes. Is she on mute or maybe we can come back to her?

City Clerk Urquia: Okay. We'll proceed, Rick Estrada.

Rick Estrada: My name is Rick Estrada. I live at 4515 San Amaro Drive; been a resident of Coral Gables for a long time. And I wanted to speak to what's my opinion and I wanted to say that I appreciate the passion and the work that the staff does in the City of Coral Gables. But in my mind, I agree that this is not something that needs to be preserved. When I think of historic designations, I think of something that is unique, that is special and I think some of the people that have spoken of like the Biltmore, you know, the Deco Drive on Miami Beach, I think those things speak for themselves. Also, within our city, I mean, if you're talking about something, you know, like Santa Maria with those beautiful homes or, you know, old Spanish that I all -- you know, we all know those things need to be preserved. But when I look at this home -- and I ride by and bike there pretty often -- I really don't see, you know, the specialty in it. The history of the ranch home is a home that was mass produced for economic simplicity, easiness of construction, and it was affordable housing. It was always affordable housing. It started as affordable housing and continued. Whether you're the first one or the eight millionth one, which I think there were more than eight million -- I don't know how many million. I think I heard a stat that -- by the '50s or the '60s, 9 out of 10 homes being built in America were ranch-style homes. And in my mind, it is a cookie cutter. Whether it's the first cookie or the eighth millionth cookie, it's still the same cookie. And there's no historical significance to it other than the fact that it's a style; it's a style

that was mass produced, a style that was adopted all over the country in response that we needed to have affordable housing, you know, for a growing population. You know, that's the only significance that I see. It was a style of home that was mass-produced in the millions. The fact that one was built in Coral Gables, to me, that doesn't make it any different. If you go into any community down here in South Florida, you'll see hundreds of them or if not, thousands of them. To designate this one in particular because it was one that was built by an architect that has name recognition, you know, to me, it's not anything that was outstanding as far as a by-product of what he did. You know, it was just his take on something that was being mass produced all over the country. And beyond that, I really don't see the significance of it. So, when we look at what is historically significant, I don't think you could compare this home to the Biltmore. And also, I don't think it's in very good shape either because I ride by there all the time. So, I think the consideration of the board and I -- like I said, I appreciate what they do. This is one of the reasons why I live here, you know, and I appreciate their work and I appreciate the work of the Commission. But I think, from my perspective, you know, you also have to be pragmatic in some of these approaches they can take as far as what it is and what it isn't. And I don't think you can take this home and compare it to anything that I see in Coral Gables. It's not one of the villages. Like I said, it's not Santa Maria. It's not Granada. It's not old Mediterranean. It's not old Spanish. It's just an old home, you know. Because it's old doesn't mean it's significant. It doesn't mean that it's historic. It doesn't mean that it's special, you know. It's just an old home that someone wants to turn into a beautiful new home that is subject to the rules and restrictions of Coral Gables. And I don't know -- people don't want to talk about it. And the attorney says it's not significant, but you know, financial hardship placed on someone that wants to invest in our community and be part of our tax base, to me on a personal note, I mean, it doesn't strike me as a message that we want to send to potential investors in our city. But you know, I know that's a part -- but as far as historical significance, okay, I want to repeat this is not the Biltmore. I mean, it's not the Eiffel Tower of Coral Gables, you know. It's an old home, one of millions that were built in this country, you know, throughout the decades. And like I say, and I want to repeat this, because it's old, you know, doesn't mean it's historic.

Vice Mayor Lago: Thank you.

Mr. Estrada: Okay, thank you very much.

Vice Mayor Lago: Thank you, sir. I appreciate your comments. They're well taken. Billy.

City Clerk Urquia: We'll try again with Ms. Karella Carbonell.

Vice Mayor Lago: Ms. Carbonell, good morning. Good morning, Ms. Carbonell. Let's queue her up and let's see if we can move on to the next person.

City Clerk Urquia: Alright. Next, we have Mr. Alfredo Valsera.

Vice Mayor Lago: Mr. Valsera, you have two minutes. Thank you.

Alfredo Valsera: Good morning, Commissioners. Let me turn off this device here.

City Clerk Urquia: We'll come back to him. There was too much of an echo there, so I will proceed. Next, Ms. Christine Lou.

Vice Mayor Lago: Ms. Lou, good morning.

Christine Rupp: Hi, good morning.

Vice Mayor Lago: Good morning.

Ms. Rupp: How are you doing? This is Christine Rupp. I'm the executive director at Dade Heritage Trust. And as you know, we sent a letter in support of the appeal, and I just wanted to reiterate the opinion of Dade Heritage Trust today. And that is, per your expert staff, the residence

met the required criteria as defined within the ordinance. You have an amazing department there, filled with expertise. And I can tell you that our opinion is watching the Historic Preservation Board ruling was a bit troubling with the evidence that was presented and the fact that they offered absolutely no opinion or argument or debate as to why they ruled against designation. It's a bit upsetting, especially when you have them presented with such a thorough and important report by the preservation staff. So, thank you for your consideration, and we hope you will vote in favor of the appellant. Thank you.

Vice Mayor Lago: Thank you, Ms. Rupp. Have a nice day. Billy, next.

City Clerk Urquia: Next we have Tony Rodriguez.

Vice Mayor Lago: Mr. Rodriguez, good morning. You have two minutes.

Tony Rodriguez: Good morning. Good morning. I live in 118 Camino Avenue. I'm also a Florida registered architect. I have over 30 years' experience.

City Clerk Urquia: Do you want to keep going down the list?

Mr. Rodriguez: Sorry, you hear me?

Vice Mayor Lago: Yes, sir, please. Continue.

Mr. Rodriguez: Yeah. I've been working in Coral Gables as an architect for over 30 years and have done many homes, including some remodeling and renovation of historical homes, one of them being Coral Cove, Phineas Paist. I've done a couple of houses in the French Village, which is a historic neighborhood, and love working with the Historic Department. I have the utmost respect for them. And I did read the report and it's a very (INAUDIBLE) report, and I just completely disagree with the conclusion. I see this house as a very basic ranch-style home and

just doesn't rise to the level of a historic landmark in our city. I've lived here since 1993. I love the City, and I have incredible respect for the way we preserve historic sites. I'm currently working with Kara on a beautiful Mediterranean historic home, 1148 Alhambra Circle. And you know, this house in question, I just don't see it as a historic landmark. And I really urge the board to, you know, allow the owners to move forward. Thank you.

Vice Mayor Lago: Thank you, sir.

City Clerk Urquia: Next, we have Ms. Carolyn Reyes.

Carolyn Reyes: Can you hear me?

Vice Mayor Lago: Yes, ma'am.

Ms. Reyes: Okay. My name...

Vice Mayor Lago: You have two minutes, thank you.

Ms. Reyes: My name is Carolyn Reyes, and I live at 814 Mariana Avenue, in Coral Gables. I've been a resident for many years. I'm an active member and past president of the Villagers, which is oldest historic preservation group in Coral Gables. The Villagers was founded in 1966 by the Douglas Entrance which, believe it or not, was slated for demolition, was going to be a supermarket parking lot. Since then, we've continued to advocate for preservation. As stated in the detailed staff report "the built environment reflects the values, creative expression and technical capacity at a place in time and history." Historic preservation preserves these structures and spaces that tell the story of a community's historic past. The building (INAUDIBLE) the Coral Gables register of historic places portray the City's story of progress, change and expression. They are valuable and nonrenewable resources. We believe that the unique custom ranch from the 1930s located at 1208 Asturia Avenue and the work of celebrated architect Russell Pancoast contribute to the

historic fabric of Coral Gables, the City Beautiful. We ask that you follow the recommendation of the City's professional staff and designate 1208 Astoria and is preserved for future generations. Thank you.

Vice Mayor Lago: Thank you. Have a nice day.

City Clerk Urquia: Next, we have Mr. Jeff Donnelly.

Vice Mayor Lago: Mr. Donnelly, good morning.

Jeff Donnelly: Good morning. My name is Jeff Donnelly. I'm the public historian for the Miami Design Preservation League. The League has asked me to make a presentation this morning because they're occupied with the Historic Preservation Board on Miami Beach right now. I would like to make three points. First of all, every -- apparently, from what I've heard today, everyone agrees that Russell Pancoast is an outstanding architect; certainly locally, certainly statewide and maybe even nationally. In that respect, it is important to remember that simple fact. Second, the house that you see is in fact part of a 19 (INAUDIBLE) movement that found expression in the Chicago World Fair in 1933. Third, Coral Gables is a leader and Coral Gables deserves to remain a leader in historic preservation. Go to my first point. The national standards, the standards that Coral Gables uses, and for that matter, the standard that Miami Beach uses for historic designation of private property includes the idea that if it is a work of an outstanding architect, that is a sufficient reason to designate. And so, I'd urge the Commission to follow its own code. Thank you on that. Secondly, 1930s -- in 1933, Chicago World's Fair put up what they called a Florida House, done by Robert Law Weed. A Florida house was really in the streamlined art deco style, but the characteristic -- a significant characteristic was it was horizontal and that moving away from the vertical aspects of art deco into the horizontal aspect is in fact part of a national development truly that only came into full bloom after World War II. And just as they did with many other styles and so forth, they made millions of them, but it had a start and that's history, and that's part of what you need to preserve. But finally, I really urge you, the members of the

Coral Gables Commission -- I am grateful to you for allowing me to speak even though I am not a resident of Coral Gables. You are a leader and you have a leadership opportunity here to make a statement that indeed you are going to follow the rules that your city, other cities, and in fact, the National Register also carries out for historic designation. So, thank you very, very much for your courtesy and allowing me to speak today.

Vice Mayor Lago: Thank you for being here. It's a privilege to have you.

City Clerk Urquia: Next, we have Ms. Michelle Dunaj.

Michelle Dunaj: Thank you. Good morning. Can you hear me?

Vice Mayor Lago: Yes, ma'am.

Ms. Dunaj: Thank you. Thank you very much for providing the residents with the opportunity to speak with you today. I believe I have a somewhat unique perspective and I'm going to focus on a few of the legal aspects. I live at 1224 Castille Avenue. I spent the majority of my career working as an appellate attorney. And I live in a home that is a ranch-style house and that is considered to be historic. So, in looking at all the evidence presented before you, when you're sitting in your appellate capacity, it's critical that you have to understand it's really quite simple because all the information provided and the direct evidence that was before the Historic Preservation Board at its March meeting 100 percent establish that the Board committed error and that its decision was erroneous. You received excellent presentations by Ms. Kautz and Dona Spain. And I've just -- I'm very concerned because not only is this decision obviously in contradiction to the City criteria and the evidence before you so, simply speaking, in your appellate capacity, you should absolutely reverse and enter a finding in favor of the appellant. But also, I'm looking at the significant appearance of impropriety for a city in general, and what I'm looking at as a destructive precedent if you don't absolutely reverse this decision. Regarding the appearance of impropriety, many citizens in our neighborhood are questioning the disparate treatment that

seems to have been provided this particular property. And I believe everybody else has already well stated some of the concerns because there is overwhelming evidence that the house meets to criteria. And frankly, it's far less significant than my kind of cookie-cutter ranch-style house in the 1950s that is now considered historic. And residents are looking at the fact that there's been an increase in demolition permits and the appearance of disparate treatment. And we feel that if you reverse this Historical Preservation Board's decision, it's going to go a long way in restoring our confidence that the processes are fair and correct and that that's what the Commissioners in their appellate capacity are here to do. They're here to right obvious wrongs. Regarding the precedent standpoint, I believe this would have a long-term adverse consequence, risking our property values and the unique historic beauty of our neighborhoods if you allow this decision to stand. Because many current historic designations would have good arguments to use this as precedent to seek reversal of their designations; others could use this as precedent to completely subvert the policies and requirements of the City's historical preservation ordinance. And this is supposed to protect our neighborhoods and the distinctive characteristics of our homes. This is what makes Coral Gables such a special place to live. So, I would urge you to focus upon what your appellate responsibilities are and the fact that since there is so much direct evidence absolutely confirming that there was error made in the Historic Preservation Board and look at the staff report and the real impartial expert that provided this evidence, I respectfully request that you grant the appellant's petition and that you reverse the decision below. Thank you very much for your time.

Vice Mayor Lago: Thank you. Have a wonderful morning.

Ms. Dunaj: Thank you.

City Clerk Urquia: Vice Mayor, next we have a person who's on the phone, and therefore, I don't have a name for them, so we're just going to go ahead and unmute them, okay?

Vice Mayor Lago: Okay, perfect.

City Clerk Urquia: Sir, you've been unmuted. Ma'am, you've been unmuted. Please go ahead and participate. Any comments? We'll go ahead and proceed next to Mr. Kirk Menendez.

Vice Mayor Lago: Mr. Menendez, good morning.

Kirk Menendez: Thank you for the opportunity to speak. I'll be brief. First, with regards to the Historic Preservation Board, I'm disturbed/bothered by some comments made earlier during the meeting of -- there were -- some earlier speaker alluded to the fact that the Historic Preservation Board members may be compromised. Later on, in the discussion, someone went personally, one by one, and to me, it was character assassination. These are residents that serve the City and do their best. You may disagree with their decision. You may agree with them, but it's not appropriate for our City of Coral Gables, in a public forum, to personally attack board members. Having said that, I'm concerned with the direction some of the historic preservation decisions are going. It gives the impression that folks are trying to broaden the scope, broaden the parameters by which the right decision is made. They're looking for every possible way to broaden the parameters to increase the number of properties that are designated landmarks. The City has a great reputation for historic preservation. I just want us to remain balanced in the process. Having said that, the property in question, it -- as was said earlier, it was built during the Great Depression. By the time the property was built, George Merrick and even Carl Fisher were bankrupt. The City of Coral Gables, Florida, and the rest of the country really didn't come out of the Great Depression until World War II. This was an effort to kick-start the local economy by producing -- constructing homes that more people could afford. It is a lovely home, but it's a lovely home just like a lot of homes are lovely in Asturia and throughout Coral Gables. I just personally do not believe that it rises to the level of designated -- designating it a landmark. So, I ask that the City Commission not accept the appeal but follow the decision of the Historic Preservation Board. Thank you.

City Attorney Ramos: Mr. Menendez...

Vice Mayor Lago: Mr. Menendez...

City Attorney Ramos: I didn't hear you state your address, if you could do that, please.

Mr. Menendez: Oh, I apologize. Kirk Menendez, 325 Malaga Avenue, resident of Coral Gables for 57 years.

Vice Mayor Lago: Thank you, sir. Have a wonderful morning. Take care.

City Clerk Urquia: Vice Mayor, next we have Mr. -- Ms. Lourdes Valls.

Vice Mayor Lago: Ms. Valls, good morning. You have two minutes, thank you.

Lourdes Valls: Hi, good morning. I'm Lourdes Valls. I am the owner of the property in question. I bought this property a few years ago. My wishful thought was to remodel this house and fix it for my daughter that was getting married so she could start her family in Coral Gables, like I did when I first got married. I started my family and I had six kids on 1906 Ferdinand. When they were little, we walked the neighborhood constantly. That's what -- how we used to work out. I'd take my six girls, walk the golf course and walk on the streets, Asturia, Castille, North Greenway, South Greenway, Country Club Prado. That was our daily route. I studied architecture when I first came to Miami, and I'm all for preservation. My daughter -- my oldest daughter just bought a house in the Chinese Village, and we're restoring it. I brought several builders to the house to fix the house, and the house just does not work. It was so much money that I would have to put into the house that it didn't work, and they all told me that it wasn't worth it. So, then that's when we requested demolition permits. I never saw the listing because I didn't look at a listing. I drive every day through the Gables looking for properties because I wanted my kids to be raised where they were raised, you know, my grandchildren. I wanted my daughter to start her life where she started hers with her kids. So, I never saw a listing that it says the house was (INAUDIBLE) work (INAUDIBLE). If the owners thought the house was so precious and it deserved the designation, they should have done it. They had 80 years to do this. The next-door neighbor, which is appealing

me, should have requested this 20, 30 years ago, 10 years ago, 5 years ago. They should have done it when the house was listed for sale, but they didn't do it because they know that a designation of historic means that the house is never going to sell because (INAUDIBLE). Every time you stamp a house with a designation, people run because it's a very costly and impossible - you know, you have to sit on this and all these meetings. They reject your projects, you know, and it's really a burden. And I know here you're not talking about economic burden, but it is, and you have to take that into consideration. I personally walked to the backdoor neighbors, the ones that would -- my house would be an imposition if I would knock it down. My three neighbors in the back that touch property with mine were completely towards -- they were on my favor. The neighbor right across the street from me is on my favor. Ms. Cerda lives to the left -- to the right of my property. She's against it. I understand nobody wants a new construction next to their house, and she's appealed it. You know, that's -- you know, those are our rights as citizens to do, you know, what the law lets us do. But honestly, this house, (INAUDIBLE) I have to do by to make sure that this is the house in question. I honestly -- I know you're all experts and I know that you work very hard to try to designate this, and I know the Gables is known for the City Beautiful. I've lived there for twenty-some years, and I own several properties in the Gables. And it's up to you. I don't -- I think the Board did the right choice, and I feel very bad for the Board now that they've been judged and called in a way incompetent. But I leave it in your hands and I know that whatever it is, it is and I'm here to not save a house but create a home for a new family that's going to live in the Gables and produce in the Gables and start a family, and that's what we want. We want new blood in the Gables. And I think that, you know, reversing the Board's decision is really not the right way to do this. Thank you.

Vice Mayor Lago: Thank you, Ms. Valls. Have a wonderful morning. Billy, who's next?

City Clerk Urquia: Next, we have Ms. Maria Cruz.

Vice Mayor Lago: Ms. Cruz...

Maria Cruz: Good morning.

Vice Mayor Lago: Good morning.

Ms. Cruz: Maria Cruz, 1447 Miller Road. I've been here since 1976. I have no horse in this race. I'm just listening and carefully using my brain. First of all, let's talk about experts. We have in-house experts. We have experts that we pay to be experts. And as you heard, they do not always go -- actually, very few times do they agree with the historic designation. Number two, in my experience in this beautiful city and also going to (INAUDIBLE) and things like that, you always get the expert -- you bring in the expert that's going to agree with your position. Most attorneys will talk to several experts before they choose the one that they're going to use because they want to make sure the expert believes that whatever their position is, is the good one. Number three, we're talking about history. And I know that some people may want to say that the fact that this could have been affordable housing -- and I don't know if that's true or not, but that was brought up. You know what, it is okay to show that there was a period in time where, in our history, we had affordable housing. You cannot deny, ignore history. Let's not rewrite the books. There was affordable housing in Coral Gables, more power to us. There's nothing wrong with that. I think you all need to stick to the issue, forget about the financial distress because, you know, we all have financial issues when we try to remodel or do anything to our homes, and that doesn't come into play. The fact is, this house was -- is from an architect that most people recognize. And I'm not into architecture, but when I saw the name, oh, yeah, I know who he is, and I know how well-known he is. Let's also look at our history. We cannot just stick to saving those homes that people think are historical landmarks. Let's stick to the rules and overturn this decision. Thank you.

Vice Mayor Lago: Thank you, Ms. Cruz.

Ms. Cruz: You're welcome.

Vice Mayor Lago: Billy, who's next?

City Clerk Urquia: Next, we have Mr. Frank Colonnelli.

Vice Mayor Lago: Mr. Colonnelli, good morning. You have the floor.

Frank Colonnelli: Good morning. Can you hear me?

Vice Mayor Lago: Yes sir.

Mr. Colony: Okay. The appellant has indicated that she is representing the voice of a hundred neighbors. However, she does not represent the views of my wife and I, who are neighbors, and own 1259 Asturia Avenue, which is located within one block away. It is our position that the property is not unique. It is, in our view, just a basic ranch-style house. It does not offer any special qualities. And the mere fact that it was designed by a famous architect should carry no weight. Both my wife and I agree that this house does not rise to the level of historic significance and we would ask that the decision be affirmed. And we just voice our opinion as a neighbor and to express our position. Thank you.

Vice Mayor Lago: Thank you, sir. Have a nice morning. Billy, who's next?

City Clerk Urquia: Next, we have Ms. Myra Jolie.

Vice Mayor Lago: Ms. Jolie, good morning.

Myra Jolie: Can anybody hear me?

Vice Mayor Lago: Yes, we can hear you.

Ms. Jolie: Okay. Maria and Ms...

Vice Mayor Lago: Could you -- Ms. Jolie, would you do me a favor? Will you please state your name, your full name and your address?

Ms. Jolie: Yeah, Myra Jolie. I'm an attorney. I live in 700 Jeronimo Drive. It's a 1950s home, and I've been there for over 16 years. So, for some of the people who say, "We need new blood," I would be considered new blood because I've been there only for 16 years. Now, during the time that some people decided to stay home, I have seen more people taking more walks, children -- people taking walks around the neighborhood. I myself have taken walks around the neighborhood with my husband, my son and my dog. My husband is almost a historian, the smartest person I know. And he tells me about every house, all of the architecture, the different styles. It's not a matter of who's the architect because I don't know, and I don't care. It's a matter of preserving that essence of that jewel that is called City Beautiful. It's not a matter of the house doesn't rise to the level of the Biltmore. It doesn't matter. It could be a rock and we make it a landmark. If we -- if you guys, as the board, you're going to take into consideration what we, the neighbors, are seeing, and if you have 50 percent of the neighbors saying they don't want it and the other 50 percent of the neighbors saying they want it, you go by your constitution, which is the rules that Ms. Cerda was explaining what are the rules for designation in historical properties and stick to that. So, nobody in the future is going to say that a board did this and nobody knows why. We're going to have black and white rules. Don't deviate from the rules because us attorneys (INAUDIBLE) convincing you that it's your idea when it's us who want it. And also, if I'm an architect, of course, I (INAUDIBLE) want these old properties to be demolished and then just create a huge McMansion there. That's not the essence of the City Beautiful, Coral Gables. We moved in that city because of the essence and the history. If somebody wants larger or more art deco square architecture, they can move to Weston, to Doral, all those new and bright and new blood. And they praise the McMansions that have been built. Us, Coral Gables, we want to stay like that, old -- like an old pair of jeans that always you can go to and they're going to feel great. That is (INAUDIBLE). Thank you.

Vice Mayor Lago: Thank you, Ms. Jolie. Have a nice morning. Billy, who's next?

City Clerk Urquia: Next, we're going to have Mr. Alfredo Valsera.

Vice Mayor Lago: Mr. Valsera, good morning.

Mr. Valsera: Good morning, Commissioners. Thank you for allowing me to speak. I understand that what you guys -- based on what the attorney was saying -- what you guys are covering today is really if the process was followed, if there was some irregularity or something out of the normal by the Historic Preservation Board that should compel you to reject what they decided. You now, so I think that's really what is before you, not whether the -- if you feel or if neighbors feel because they like the house or they don't like the house or they like ranch style or don't like ranch style. That's been litigated already. In fact, there's been two hearings in which there have been extensive comprehensive presentations funded by the taxpayer, by the way, which is another odd aspect of this process where if the Historic Department seeks designation, then the property owner is not just funding their defense, but they're also funding the efforts by the City. So, you're paying for both sides, and here they are again paying for both sides. But it appears that that is what is before you today, if there was an irregularity. And I would submit to you that these are people of your confidence that, at one point, you as Commissioners and other City officials felt were qualified and competent enough to make these kinds of decisions. And they reviewed it twice and a majority -- and two times a majority of them decided that this house should not be designated historic. These are the people that you appointed. And for all of a sudden other folks that have spoken here today to start singling out individually some of these people who are giving up of their time to help the City along with this process and lend their expertise to this process, to question their credentials and to question the validity of their decisions because you disagree with this particular decision is not just distasteful but it also draws into question all of the other decisions that they have made. Because if we have supposed experts in historic preservation saying that the rationale or the analysis or the process that led to these people arriving at their conclusion was flawed or was inadequate, and that their approach was incorrect, well, then that means that a lot of the other

decisions that they perhaps agreed with in the past could also be subject to some kind of flaw or inadequacy or misrepresentation. So, I think we have to tread very carefully. The word “precedent” was thrown around and there’s very damaging precedent if indeed this is designated historic. I think we have to look at what is before us. And that is, did the people that you all appointed to this board, that are of your confidence, that you felt were qualified enough to make these decisions on your behalf representing you and your office, did they follow the process correctly or not? And I think that you will agree that they did follow it correctly. This issue should be put behind us and we should move forward looking at homes that truly are historic, that deserve historic protection so that they can continue enriching the fabric architecturally of Coral Gables. Thank you.

City Attorney Ramos: Mr. Valsera, I didn’t catch your address. I’m sorry.

Mr. Valsera: My address is 841 Andalusia Avenue. Thank you.

City Clerk Urquia: Vice Mayor, next we have Ms. Johanna Minoso.

Vice Mayor Lago: Ms. Minoso, good morning. How are you? You have two minutes.

Johanna Minoso: Yes, hi. Good morning. My name is Johanna Minoso, and I live at 1447 Sienna Avenue. I’ve had the privilege of living here for the past six years. I actually demolished my house and built a new house. It’s not a McMansion. It’s a beautiful Coral Gables house. And I think everyone should have the opportunity to do this. I’ve taken this time to be walking around the neighborhood, and I’ve crossed over to the other side by the golf course, and there’s nothing special about 1208 Asturia Avenue. There’s no reason for it to be deemed historic. And I think what everyone’s missing here is that no one has taken the time to look at the plans. We’re all assuming that a McMansion is what’s going to be built, but no one has any idea what’s going to be placed on that property. No one’s taking the time to think about the value that this could be adding to the city, to the neighboring properties. And I think this is something that should be taken

into consideration before we run to judge when we have no idea what's going to be on that property. Ramon Pacheco is a very famous architect, and he's not going to be building a McMansion, a Pinecrest-style mansion on this property. And I think the Board is in place for a reason. And as a Coral Gables resident, I think it should be respected, and we should not be having neighbors deciding the fate of other people's properties just because they're unhappy with one decision. The Board's in place for a reason, and I would like for it to be respected. And as Ms. Cerda said in her own statement, we are living in a city and are moving on, and there's -- we all have to evolve. There's no reason for this to be deemed historic. I personally would not like to live in a house that's comparable to an old pair of jeans. Thank you.

Vice Mayor Lago: Thank you very much. Have a nice morning.

Ms. Minoso: Thank you, you too.

City Clerk Urquia: Vice Mayor, next we have Ms. Karelia Carbonell.

Vice Mayor Lago: Ms. Carbonell, let's give this a try. Good morning. Can you hear me?

Karelia Carbonell: Good morning.

Vice Mayor Lago: Perfect.

Ms. Carbonell: Can I -- can you hear me now?

Vice Mayor Lago: Yes, ma'am. Please proceed. You got two minutes.

Ms. Carbonell: Oh, good. I'm so happy. Thank you for bearing with me. But I just want to -- on behalf -- my name is Karelia Martinez Carbonell. I'm president of the Historic Preservation Association of Coral Gables. And on behalf of our members -- we have close to a hundred dues

paying members -- we urge the Commission to overturn the March 4 decision of the Historic Preservation Board. And you know, after listening to everyone, everyone has made their point, but the bottom line is that your city, the City of Coral Gables, nominated this property, and this property met -- under the ordinance, the historic preservation ordinance of the City of Coral Gables -- three of five criteria, which we all know that only one criteria is needed for designation. I was at all the meetings during the process. And unfortunately, there was no conversation on part of the five members who voted against designation as to why these three criteria didn't meet the ordinance. It was basically quick. The motion was called, and it was no, no, no, no, no, with no defining reason or rationale. And so, the mission and the -- I just want to make sure that we all understand that the mission of the Historic Preservation Board, who is a quasi-judicial board, is to preserve and protect historic or architecturally worthy buildings, structures, sites, quaint neighborhoods and artifacts that impart a distinct historical heritage of the City. The keyword is preserve. And I think the Board should do all in its power to reach that conclusion when there is a staff presentation and recommendation. And what I've seen is that that has been not the case. This home is a 1936 home. It is not -- ranch began -- this is a unique, one-of-a-kind maverick style home that, yes, after maybe 10, 15 years later, the ranch-style architectural -- architecture became sort of cookie cutter. This home is not cookie cutter. This is like saying this unique historic resource doesn't matter. So, you know, to end my brief presentation, my motto has always been that preservation is not a zero-sum game, and it should not be weighed against how many buildings are saved versus how many are sacrificed. The keyword is preservation. And every opportunity that presents itself to preserve a community's historic nature, whether private or public, should trigger the same reaction, which is to protect the historic integrity of the resource rather than destroy it. And with that, I urge the City Commission to please consider overturning the decision of the Historic Preservation Board on March 4. Thank you.

Vice Mayor Lago: Thank you, Ms. Carbonell. Thank you for your words.

City Clerk Urquia: Next, Mr. Vice Mayor, we have Brett Gillis.

Vice Mayor Lago: Mr. Gillis, good morning.

Brett Gillis: Good morning. Hello, everybody.

Vice Mayor Lago: You have the floor, two minutes.

Mr. Gillis: And I would just like to thank you all for -- okay. I'd like to thank everybody for their participation today. I feel very passionate about this case because I have a special...

Vice Mayor Lago: Mr. Gillis, excuse me.

Mr. Gillis: Place in my heart for the -- yes?

Vice Mayor Lago: Can you please give us your full name and along with your address, please? Thank you.

Mr. Gillis: 915 Ferdinand Street, Coral Gables, Florida. And my name is Brett Gillis. Okay, so when you look at 1930s architecture, I have a special place in my heart for that just because we have so little of it in Coral Gables. I think many of you may know I've been working on several studies in the City over the past few years. In 1926, during the 1920s land boom, there were about \$13 million just in that one year spent on building permits. And as the staff report states, by 1936, when this house was built, there were only \$1 million spent on building in Coral Gables. So, anytime you see a house that was built after the 1926 hurricane but before the end of World War II, that's a rare gem that we have in Coral Gables. And all that we're asking for is the criteria to be followed, just as it would in any other case. The attorney for the homeowner states that the ranch style did not originate with this home in Coral Gables, yet they haven't produced any photos or any listings or any material to prove that. Basically, repeating the same thing over and over again doesn't make it true. I'd like to see the facts because City staff has done a well-researched report on this, and they have proven that the building does meet the criteria. And it was a

trendsetting home. We have the 1938 Miami Herald Book of Homes, which was not a real estate ad or a weekly insert. It was a bound, printed book that was sent nationally to people around the country to promote Depression Era architecture in Coral Gables. The attorney tried to draw comparisons to the Surf Club and the Bass Museum, however, 1208 Asturia is a 1930s Depression Era home. It is not a monumental building of the scale of Surf Club and the Bass Museum. However, we have to look at the home for the way that it is and what it is. So, I would just ask you to be held to that standard. The Pancoast mural shows the presence of ranch architecture as part of Coral Gables history, as the staff has proven. It doesn't have to be this exact home. It's just a representation that ranch architecture is a part of Coral Gables history. And as a board member, John Fullerton noted that this home is part of our identity. It is a new typology that Russell Pancoast introduced in Coral Gables, and he was an architect that was known for introducing new styles. It launches a new chapter in the architectural history of Coral Gables. And it is pre-war, not post-war, and this is the launch of a new style and represents the criteria of architectural and historical significance. And what was brought up about the board members is talking about one of the members of the public that was speaking talking about irregularities. Yes, there were irregularities in this case. One of the same board members that voted to designate 625 Candia in December of 2016 voted against this home with no explanation. This home is older. It's rarer. This is the only art deco inspired ranch that I see in Coral Gables from all the surveying I've done. And nobody has provided any evidence to suggest that there is another one. Then another board member changed the vote all of a sudden at the last minute for no reason. Another board member had asked about if a metal roof could be put on this home and that's a restriction, if it couldn't. That has nothing to do with the criteria of this case. So, again, it just always comes back to these criteria and following the criteria as outlined by the City staff. Staff report clearly states that 1208 Asturia possesses the character-defining features of the ranch style. And unlike the LaSalle building, 1208 Asturia has had very few alterations. The only thing would be the changing of the windows, updating or replacing the windows and doors, which would be allowed on a historic house anyway and it happens all the time in Coral Gables. No changes to the restructure have taken place at any notable degree. And the home possesses a high degree of architectural and historic integrity and contributes to the historic fabric of Coral Gables. In Russell

Pancoast's own words, he stated that he was designing architecture that met the needs of the time and place. And this was the Depression Era. That's what this home is about. So, thank you again for your service to Coral Gables, and I look forward to working with you on historic preservation matters in the future and I hope that you overturn the decision and preserve this home. Thank you.

Vice Mayor Lago: Thank you, Mr. Gillis.

City Clerk Urquia: Next, Vice Mayor, we have Mr. Javier Banos.

Vice Mayor Lago: Mr. Banos, good morning. You have two minutes. Billy, is there anybody else? Mr. Clerk, is there anyone else that's still pending? Maybe we could come back to Mr. Banos.

City Clerk Urquia: Vice Mayor, we don't have anyone else at this time. There's one person I want to try one more time. It shows as pending on the phone without a name. So, we're going to try one more time to see if they would speak.

Vice Mayor Lago: Perfect.

City Clerk Urquia: Okay. You're unmuted, sir, if you would like to speak on the item.

Vice Mayor Lago: Nothing?

City Clerk Urquia: No.

Vice Mayor Lago: Is Mr. Banos -- you want to give Mr. Banos one last shot to speak?

Maria Farah: Sebastian, Sebastian.

Vice Mayor Lago: Hello?

City Clerk Urquia: Okay, there she is.

Ms. Farah: I need your help.

Vice Mayor Lago: Good morning.

Ms. Farah: Raising my hand and it doesn't -- you know, they don't let me talk.

Vice Mayor Lago: You're on, you're on.

City Clerk Urquia: We see you, we see you, yeah.

Vice Mayor Lago: You're on.

Unidentified Speaker: Yeah, you're on.

Vice Mayor Lago: You're on. Can you hear us?

Ms. Farah: Hello?

Vice Mayor Lago: Hello.

Ms. Farah: Yes. My name is Maria Gardena Farah. I am a resident at 1211 (INAUDIBLE) Avenue. My property is the property who's right adjacent in the backline property. I've been living in this house since 1993. I went to the University of Miami and graduated from the School of Architecture in 1985, and I have worked in the field for many years. First of all, I would like to state that I respect Architect Russell Pancoast's work, and I support historical preservation. As

a matter of fact, my house is a 1923 original Merrick home. I would like to say also that in Ms. Cerda's presentation, who is not representing my opinion, I would like to say that what 1208 Asturia Avenue, according to her presentation, was designed by Pancoast in 1936 to break with the established Mediterranean style and to allow for diversity. My question is why aren't we allowed to diversity as well? Especially, with a house that has never been designated as a historical home. I know Pancoast's work, and I do admire him very much. However, I don't think that 1208 Asturia Avenue is one of his best kind of work or it deserves any architectural value. In my opinion, a building -- just because it's old, it doesn't mean that it has architectural value. The Historical Preservation Board that is constituted by very knowledgeable individual, have -- they have followed the rules. And there were no errors made by such great professionals. They already made a decision of not designing (sic) 1208 Asturia as a historical building. And I support this decision. I don't think that there should have never been an appeal. I am against this appeal and I just support, again, the decision of the historical board as to not designating this house a historical building. Thank you very much for listening to my humble opinion, and everybody have a good day and stay healthy.

Vice Mayor Lago: Thank you, thank you.

Commissioner Mena: Thank you.

Vice Mayor Lago: Thank you for being here. We appreciate your insight. It is 12 o'clock. Mr. Clerk, are there any other residents that would like to make a comment?

City Clerk Urquia: Vice Mayor, Mr. Banos is back on, and he would still like to speak on the item.

Vice Mayor Lago: Mr. Banos, 12 o'clock. You have two minutes. You're the last person to speak on this issue before we turn it back to the Commission.

Javier Banos: Yes, Mr. Vice Mayor. And thank you very much for allowing me the time to come back and (INAUDIBLE) call. Just wanted to make sure we're -- you know, as lawyers, we do appeals on a regular basis. I don't do them personally, but I know that they are. It's not disparagement on the prior board's decision, on the prior -- on, you know, (INAUDIBLE) decision. It's simply at a level (INAUDIBLE). That's (INAUDIBLE), not a judgment on whoever had the decision before, but it's just a judgment on what -- whether the application was proper in the view of a higher-level review, and that's why we have the appeal process. And I think everybody should be (INAUDIBLE) that. I want to make sure that -- this is a unique property apparent -- according to our experts. We have experts that say that's the case even though it's admittedly burdensome to the property owner who evidently did not expect this to be the situation that would have happened to her and I feel for her. But evidently these are the rules that we live by. This is what is the requirement. This is the conditions. This is the part of living in the City of Coral Gables. And if we're going to walk the walk, you know, and talk the talk, we should walk the walk. And if this is what it takes to do historic preservation, then very much we should follow the rules. We should accept the perspective of the experts and we should move forward with overturning the prior decision. Thank you very much.

Vice Mayor Lago: Thank you, Mr. Banos. Mr. Clerk, I think that closes the public comment section.

City Clerk Urquia: So, Vice Mayor, no one else has requested to speak.

Vice Mayor Lago: Okay.

City Clerk Urquia: I would, however, tell you that I have over a hundred emails that I've received from residents on both sides of the issue.

Vice Mayor Lago: Yes. I'd like to make sure that those are on the record. We also received letters from Dade Heritage Trust, along with a letter that was written by the late Arva Moore Parks that was submitted to the Commission. So, I do...

City Attorney Ramos: Vice Mayor, I hate...

Vice Mayor Lago: Yes.

City Attorney Ramos: To do this, but I'm just checking the quasi-judicial rules and I do believe that we have to read those comments into the record. Because of the virtual nature of this meeting, people have been given the option to email the Clerk in lieu of appearing through the Zoom platform or on the phone.

Commissioner Mena: So, you're going to read a hundred emails?

Vice Mayor Lago: That's what you want to read?

City Attorney Ramos: In an abundance of caution, I do believe we should.

Vice Mayor Lago: Okay, perfect. Well then, I guess we will proceed in that fashion, if that's what you recommend.

Commissioner Fors: By the way. Vice Mayor...

Vice Mayor Lago: Commissioner Fors.

Commissioner Fors: There's a chat message from, I believe, the owner of the property stating that Architect Pacheco is trying to get on the line to say a few words.

Vice Mayor Lago: Okay, perfect. Thank you for bringing that to our attention.

Commissioner Fors: I think he's on the phone already.

Vice Mayor Lago: Mr. Clerk, could we facilitate that Mr. Pacheco could have two minutes to speak?

City Clerk Urquia: We're trying to locate him by the name, Vice Mayor. We're trying to find him. Just one second.

Vice Mayor Lago: Are you prepared -- on another note, Mr. Clerk, are you prepared to read all the emails that we've received up to this moment, along with the letter from the Historic Preservation Board -- excuse me, from Ms. Parks, and also, any other letters that were sent to the Commission?

City Clerk Urquia: So, the documents that were sent to the Commission have been made part of the record prior to this, and they have been made public. The emails that were received from my office, yes, I am prepared to read them.

Vice Mayor Lago: Okay.

Commissioner Mena: You -- sorry, when did you receive these emails?

City Clerk Urquia: Thursday of last week, and they are part of the backup information that you have on your packet.

Commissioner Mena: They're attached to the end, right?

City Clerk Urquia: No, no. Not the e -- no, not the emails that I'm going to read. The emails I'm going to read have only been received by my office and we have not released them to you. Things that were made public and were sent to the Commission prior to today have been attached to the record for this meeting already as of Thursday of last week -- Thursday or Friday of last week.

Commissioner Fors: If I can ask the City Attorney a question. Isn't it the case that we're not even allowed to consider the content of those emails since it's a review based on the record of the hearings?

Vice Mayor Lago: Would that be -- just to Commissioner Fors' points, would that be some sort of ex-parte communication that we may have embarked in or no?

City Attorney Ramos: So, a couple of different things. Normally, if this was a hearing where people were free to come as they are used to coming, we do not read the emails into the record necessarily. The virtual nature of this meeting is providing us with lots of different challenges and one of them is that we have to allow for as many vehicles for public input as possible. Email has been made one of them. And so, I think people emailed with the expectation that the emails would be read, seen or heard by the Commission prior to the making of a final decision. That said, Commissioner Fors, you're correct. The Zoning Code says that the appeal is based on the record and no new testimony should be considered. However, it is a public hearing item. I would love to be able to marry those two things in a way that makes more sense, but it just -- that's what we have as written at this time. That's what we have to do.

Commissioner Fors: Alright, so if I can make a suggestion, I mean, should we start reading them, and then interrupt when Architect Pacheco is...

Vice Mayor Lago: Yes.

Commissioner Fors: Able to get on and then resume?

Vice Mayor Lago: Mr. Clerk, let's move forward with reading the emails.

Commissioner Mena: This is -- guys, this is -- I'm not -- I'm all for public input but reading a hundred emails during the meeting is borderline ludicrous. For future reference, if we get emails in advance of the meeting, just send them to us before the meeting or attach them to the item and that way they're part of the record, and we can review them without wasting the time of everybody on this meeting, including the residents who may be waiting for all their items on the agenda. Because reading a hundred emails is going to take a really long time right now, and especially when we can't even consider the testimony.

Vice Mayor Lago: Yeah.

City Attorney Ramos: I think part of the challenge, Commissioner Mena, is that the e-comment or email function is open until right before the meeting starts, so it's hard for the Clerk to make a call. I mean, I presume he could call -- he could send everything from yesterday and then just read today's. I guess that's an option for a future virtual meeting, but that is one of the challenges.

Commissioner Mena: I just -- I -- we get emails all the time even when we're in person, including during the meetings and we never read them all. So, we read them personally, but we don't read them out loud in the meeting.

Vice Mayor Lago: That's why I asked the question to the City Attorney in regard to the fact...

City Attorney Ramos: I know. And if this were not a virtual meeting, I promise you, I wouldn't put us through this. My problem is that it's a virtual meeting. And so people, I think, submitted their comment with the belief that it would be read aloud or read by the Commissioners. I don't know if it's easier, Billy, if we just share a screen, if that's possible, and have -- just have a scroll through the emails.

City Clerk Urquia: I can do that as well.

City Attorney Ramos: Perhaps that's at a quicker way to do it.

Vice Mayor Lago: If you do me a favor, if you would do a favor please and let's at least -- can we at least read Arva's letter? I think that's been a comment that's been made on several occasions in the chat.

City Clerk Urquia: Okay.

Vice Mayor Lago: Billy.

City Clerk Urquia: I'm trying to find it. It's not...

Vice Mayor Lago: Okay, just...

City Clerk Urquia: One of the emails I received, so I'm looking as far as the backup information for this item that was included on.

Vice Mayor Lago: Okay, we can read it at the end. Let's move forward with scrolling through the emails at least so we can put it on the public record.

City Clerk Urquia: Okay.

Commissioner Mena: So, I'm assuming, Madam City Attorney, we don't need to read emails from people who have participated today.

City Attorney Ramos: Correct.

City Clerk Urquia: So, this -- I'm not sure if you can see this.

Vice Mayor Lago: Yes.

City Clerk Urquia: I have a letter from Mr. George Volsky on the screen.

Commissioner Keon: You have a group (INAUDIBLE) tell you what it is (INAUDIBLE). You have to open them to (INAUDIBLE)...

City Clerk Urquia: No, no, no. I did but for some reason...

Vice Mayor Lago: Yeah.

City Clerk Urquia: It's not.

Commissioner Keon: Oh, okay.

Vice Mayor Lago: Yeah.

City Clerk Urquia: So, this is the letter from Mr. George Volsky.

Vice Mayor Lago: Okay. Let's move on to the next letter.

City Clerk Urquia: A letter from Ms. Priscilla and Richard Thurer, 1019 Castille, in support of Ms. Cerda.

Vice Mayor Lago: Okay.

City Clerk Urquia: These are multiple letters that were received. These are on behalf of the decision made by the Historic Preservation Board. This one's by Alvaro Minoso, Carolina Minoso, Pamela Silva, Bertica and Luis Palacio, Jorge Garrido, Natty Elias, and J. Fadel. These were all made on behalf of the decision made by the board.

Vice Mayor Lago: Okay.

City Clerk Urquia: This is a letter from -- or an email from Mr. Armando Incera.

Vice Mayor Lago: Next.

City Clerk Urquia: Okay. An email from Ms. Debra Incera also regarding the denial of the appeal. She said she would not follow the recommendation of the Historic Preservation Board.

Vice Mayor Lago: Okay, thank you. Next one.

City Clerk Urquia: Next one is a letter from Mr. Don Queralto in support of Ms. Cerda's appeal.

Vice Mayor Lago: Okay, next.

City Clerk Urquia: From William Villa, homeowner at 1208 Mariana. He's in support of the Historic Preservation Board's decision.

Vice Mayor Lago: Yes, next.

City Clerk Urquia: Joseph Fadel, resident at 901 Santiago, in support of the board's decision. Let me see if I can open this screen a little bit bigger so we can...

Vice Mayor Lago: We can see it.

Commissioner Keon: We can see it.

Vice Mayor Lago: Yeah.

City Clerk Urquia: It's not -- no, it's so I don't have to open each one. Let me see if I can...

Commissioner Mena: Oh, I see what you're saying.

City Clerk Urquia: Okay.

Commissioner Mena: Yeah, that's (INAUDIBLE).

City Clerk Urquia: Okay, so Lauren Kahn, she sent us letters on behalf of those who were -- who are for the decision of the board.

Commissioner Mena: You -- Billy, you went back to...

City Clerk Urquia: No, I know.

Commissioner Mena: A Word document.

City Clerk Urquia: But that's because this one I had to open up...

City Attorney Ramos: There's an attachment.

City Clerk Urquia: An actual attachment.

Commissioner Mena: Okay, okay.

City Clerk Urquia: And this one's from James and Vivian Williams. They're in support of the decision of the Board. Aileen Ortega, in support of the decision of the Board. Ana Quincoces, Jim and Ela Waddell, Silvia Fortun, Maria Bardina Farah.

City Attorney Ramos: Can you state what they say, Billy, if it's in favor or against when you say their name?

City Clerk Urquia: All of these letters are in favor of the decision of the Board.

Vice Mayor Lago: Okay.

City Clerk Urquia: Ms. Lissette Calderon, Zvonimir Belfranin, and Erin Valdes. Lourdes Armenteros, Gabriella Aballi Miranda, Frances Hassun and Ramon Prats, Adalys Genemaras, and Alexander Trench, Victor A. de Diego and Sebastian Almaguer, Gloria Ordaz, Julio Ramirez, Johanna Minoso, and George Jarp. All those were in favor of the decision made by the Historic Preservation Board. Okay, let me go back to the previous screen. An email on behalf of Eduardo Abella in support of the appellant. Joyce Nelson, in support of the appellant. Natty Elias, in support of the decision made by the Board. Jose Garrido, in support of the decision made by the Board. Bertica Palacio, agreeing with the decision of the board. Roland Martinez, agreeing with the appellant. Carolina Minoso, agreeing with the decision of the Board. Eddie Arvesu, support of the Preservation's Board decision. Alvaro Minoso, agreeing with the decision of the Board. This is Ms. Michelle Dunaj, which she also spoke today. Maria Velez, 1235 Asturia, to grant Ms. Cerda's appeal. Hortensia Cobb, that they grant the appeal. Alina Bolano support the decision of the Board. Johanna Minoso, supporting the decision of the Board. Julio Ramirez, agreeing with the decision of the Board. Maribel Delamo, agreeing with the appellant. Luigi Vitalini, he attached a letter, and it's support with the appellant, agreeing with the appellant. Mr. Gordon Sokoloff wrote --

Commissioner Keon: Appeal.

City Clerk Urquia: Yeah, so he's agreeing with the appellant.

Vice Mayor Lago: Yeah, and I think it's -- Billy, if I may interject one second. And I had mentioned this before, but I think Commissioner Keon was shaking her head saying it's not -- see, that is a prime example of an ex-parte communication by email. And I -- and it's important to read these or at least have them shown because, like the City Attorney even mentioned, I mean -- and she'll clarify what I said before. You know, these are the things that could come to bite us in the end if we don't put these on record. Madam City Attorney, am I correct in regard to if we received an email, that is also ex-parte communication?

City Attorney Ramos: If you received an email directly to you before this hearing about the contents of this hearing, that is considered an ex-parte communication that needs to be disclosed.

Vice Mayor Lago: Thank you very much.

City Clerk Urquia: And Vice Mayor, that was in part the reason why it was not forwarded to you prior to today's meeting.

Vice Mayor Lago: Yeah, I just wanted to -- no, but I received that. For example, look at Dr. Sokoloff, a very respected individual in this community, and he sent us that email to all of us. I received that email, and it's -- if you go back, you'll see that we were copied on that email. So, I wanted to be very clear that that was ex-parte.

Commissioner Keon: Is that...

Vice Mayor Lago: And make sure that people who were under some other, you know, understanding that this was actually important to put it on the record.

City Clerk Urquia: Victor A. de Diego, resident at 708 Anastasia.

Vice Mayor Lago: You have a comment, Billy, from Vicki. Someone in the chat said that someone's email was skipped.

City Clerk Urquia: Maria Castro, she is in agreement with Ms. Vicki Cerda.

Vice Mayor Lago: Okay.

City Clerk Urquia: Andres Paniagua, to grant this appeal and overturn the decision. Ms. Sherry (sic) Gold, she's on behalf of the appeal. Maria River Abella is in support of the appeal. Livia Cleary, in support of the appeal. Cheryl Akerman, she's in support of the appeal. Gloria Ordaz, she's in agreement with the decision of the Board. Alexandra Hernandez, she supports the decision of the Board. Tommy Valls Edwards, in support of the decision of the Board. Mr. and Mrs. Jose Hernandez, agreement with the decision of the board. Yury Rossi, in agreement with the decision of the Board. Eugenia Legorburu, against designation. Jeannette Edwards, in agreement with the decision of the Board. Pamela Conde, resident and agree with the Board's decision not to deem the property historic. Michelle Sague, in agreement with the appellant. Ileana Casanova, in support of the appeal. Robert (sic) Neway, in support of the appeal. Christian Arfert, in support of the appellant. Gabriele Greiner, in support of the appellant. Karelia Carbonell, she attached a letter on behalf of the Historic Preservation Board...

City Attorney Ramos: She also already spoke, Billy.

Vice Mayor Lago: Yes.

City Clerk Urquia: Okay. Give me a second. Let me go back to the window.

Vice Mayor Lago: Billy, is Mr...

City Clerk Urquia: Claudia Lagrange, she submitted three support letters on behalf of the historic preservation -- for the historic designation appeal, so it's for the appellant. And the letters are from Arianna Kaufman, Ariel Kaufman, and Claudia Lagrange, so three letters on behalf of the appeal. Sebastian Almaguer, supporting the decision of the Board. Alex Trench, 412 Alminar, disagree with designating the home, so agreeing with the decision of the Board. Christine Rupp spoke today. She also sent a letter. Dona Horowitz, 1208 Asturia, on behalf of the appeal as well. Adalys Genemaras, resident at 108 -- 18030 Miranda. It should not be designated historic, so agreeing with the Board. Next, Ramon Prats, disagreeing with designating the property, so agreeing with the decision of the Board. Frances Hassun, 90 Edgewater, disagreeing with designating of the property. Gabriela Miranda, resident of 521 Santurce, said the Preservation Board voted against designation and they support the decision. Dona Horowitz...

Commissioner Mena: Didn't we read all these already, Billy?

Vice Mayor Lago: I think we're duplicating.

City Clerk Urquia: I think -- they might have sent more than one and we just, you know, stored them in the same folder, sir. Maribel Muniz, the Preservation Board voted against it and they're supporting the decision. Wesley Ulloa, in support of the appellant. Ana Quincoces, in support of the Board. Maria Bardina Farah, against designating the property historic. Ela Waddell voted against designation and they support the decision. Silvia Elena Rios, they support the decision made by the Board. Aileen Ortega, in support of the Board's decision. Vivian Williams, in support of the Board's decision. Lissette Calderon, in support of the Board's decision. Eduardo Cantelar, and they agree with the decision of the Board as well. Zvonimir Belfranin, and disagreeing with the Board -- no, I'm sorry. I would like to disagree as a resident and structural engineer -- he agreed with the decision of the Board. Erin Valdes support the decision of the Board. Lourdes Armenteros support the decision of the Board. Give me one second. I want to make sure if

anything else has been received today. We received an email from Mr. Brett Gillis, but he spoke. And that should be it. There was an email from Mr. John O'Connor that was forwarded to us as well that I've been told supported the appellant. Mr. Pacheco is on the line and he would like to make the comments, and I think we have him available to speak at this time.

Vice Mayor Lago: Mr. Pacheco, good afternoon.

Ramon Pacheco: I'm here. Good afternoon. Can you hear me?

Vice Mayor Lago: Yes, sir. Please do us a favor and provide us your...

Mr. Pacheco: Do you hear me?

Vice Mayor Lago: Yes, sir.

Commissioner Keon: Yes.

Vice Mayor Lago: We hear you.

Mr. Pacheco: Okay. Okay, I'm sorry...

Vice Mayor Lago: Please provide us your full...

Mr. Pacheco: I have heard -- my full name is Ramon Pacheco. I live at -- my office address is 4990 Southwest 72nd Avenue. I heard everybody since the beginning of this. I'm sorry, I am in quarantine. I cannot leave my house because I was exposed to somebody that had Coronavirus and the doctor told me to stay home. So, I don't have Coronavirus, but I am in quarantine, so that's the reason I'm here and I couldn't leave to the office. I have been listening to everything through my cellphone. Okay, to start with, I was in one of the meetings that there was in the City

of Coral Gables and at that day, we had four votes in favor and (INAUDIBLE) the day that they had the four votes in favor by the Historic Preservation Board. I was out of the city that day. But let me tell you, I have not any interest in a monetary way to be in favor of the Historic Preservation Board, what they did. The reason I participate is because I worked with Russell Pancoast, who I respect tremendously, not only with Russell, but also, with Lester, his son. Unfortunately, they are not in this world anymore. But to my knowledge with working with Russell, I said the day I did my statement that I thought that was a compromise of Russell because I did remodel in Russell -- I did remodel in Star Island a fantastic house that Russell did and I remodeled it to everything, not only outside but to the inside. And I respect also the Historic Preservation Board. I know Kara Kautz. I hope she doesn't hate me after this because I have done houses -- I have done historic houses in Asturia, with Dona Lubin and also with her involved. And I try to respect all the recommendations that they gave me. I have done over 150 homes in Coral Gables. And believe me, I think that that house was a compromise to me because I didn't see Russell Pancoast reflected there. This house is in between two houses that, to me, they should declare historical. They are from the 1920, and one of the setbacks to one of the houses is 2.8 feet. There is no way you can go through there with the vegetation that is there and 2.8 feet. I don't think that Russell -- I don't know if there was a vote at that time for side setback, but the house is very close to the left-hand house neighbor. I went inside the house and the house is not extremely good inside because it needs a lot of repair, and I think that makes that house not to be salvaged. Honestly, that's not a good example of Russell Pancoast. That's my opinion. And as a result, I agree with the Historic Preservation Board their vote, okay. And no interest whatsoever with anybody -- any people, the Historic Preservation Board, as they say that probably there was some conflict. There it was not any conflict. They did that because that's what they feel. And honestly, I think it should be respected what they did, not to preserve it. Thank you very much. And I'm sorry that I couldn't be in front of the -- my screen to see everybody. And I'm sorry I didn't respond at the time you called me because you didn't mention my name at that time and probably it was that person that had to respond. I cannot leave my house right now, okay.

Vice Mayor Lago: Okay.

Mr. Pacheco: I'm sorry, but I'm trying to be safe and have everybody else (INAUDIBLE)...

Vice Mayor Lago: Thank you, Mr. Pacheco. Thank you very much.

Mr. Pacheco: I think -- I respect the Commission and whatever you decide, we have to take it. But think about everything. Thank you very much. Bye.

Vice Mayor Lago: Thank you, Mr. Pacheco. We appreciate your few moments. And I just want to make -- put it on the record I think it's the owner of the home on the chat mentioned that Mr. Pacheco is not the architect on record. He's just giving his own opinion in regard to the designation. Okay, Billy, do we have any further comments? I think we wanted to -- I requested before to maybe read Arva's letter, if it was possible. Do you have that at your disposition?

City Clerk Urquia: Vice Mayor, just give me a couple of minutes. You can start with the discussion, you know, with the Commission and then I'll find it in the meantime.

Vice Mayor Lago: Okay, thank you very much. From what I remember from the previous comments of the Commission an hour ago, I think the only Commissioner that mentioned they wanted to have some secondary time was Commissioner Mena. Do you want to start with Commissioner Mena or Commissioner Keon? Does anyone have any other issues, additional questions of staff or would like to have any further comment in regard to this issue?

Commissioner Keon: I have a question for you, Vice Mayor. You made some comment about ex-parte communication.

Vice Mayor Lago: Yes.

Commissioner Keon: (INAUDIBLE) what that was? What was that related to?

Vice Mayor Lago: I had mentioned before we read the emails that...

Commissioner Keon: Yeah.

Vice Mayor Lago: This could -- that these emails could potentially be ex-parte communication. At that point, you had stated -- you had shaken your head that it was not. Miriam, our City -- let me just -- give me one second.

Commissioner Keon: Go ahead.

Vice Mayor Lago: I'd love to answer your question.

Commissioner Keon: Yeah, go ahead, please.

Vice Mayor Lago: Miriam request -- Miriam never had the opportunity to answer the question, so I wanted...

Commissioner Keon: Okay.

Vice Mayor Lago: To put it on the record because I think it was important to make sure that people understood some of us who were joining us late and some of us who maybe didn't understand my question, why we needed to read all these emails or what was deemed appropriate by our City Attorney. Well, I think we should move on. I think what's important here is to get this -- is to move forward with deciding on the four options that we have at our disposition. Do any of my...

Commissioner Keon: Okay, I have a question. That's all -- I'm sorry.

Vice Mayor Lago: Do any of my colleagues have any other further comments that they would like to make it regards to this issue before we render a decision? Okay, with that being said...

Commissioner Mena: I do.

Vice Mayor Lago: Yeah, go ahead, Commissioner Mena.

Commissioner Mena: Yeah. So, first of all, thank you, everybody, for participating today. It's always good to hear from our residents and to get unique perspectives from people in different fields. There's been a lot of comments about, you know, when I think of historic, it's this or it's got to be a historic landmark, and we've gone into tangents about financial hardship or when they should have designated and that the board, the Historic Preservation Board, is in place for a reason. I recognize why those comments are made and those comments may be an important part of a broader discussion about our historic preservation process. However, we're here today with the current rules that are in place for our historic preservation process, and we're here on an appeal that was duly made of the Historic Preservation Board. And I think Mr. Banos said -- and I wholeheartedly agree with the point he made -- that any time there's an appeal, you're reviewing the decision of a board that sits beneath your appellant level, if you will, and you have standards that you apply. It's not intended to be disrespectful to anybody that sits on that board or offensive to them. And I think people that sit on our boards understand and respect that there's a process in place and that some of those processes end in potentially an appeal to the City Commission. And so that's what has happened here. And I mentioned earlier in my discussion with Mario Garcia-Serra, the attorney for the property owner, that at the end of the day, what I believe we're tasked with looking at today are the criteria that our rules and our process dictate apply. And so, the challenging thing here is that we have a very thorough report that goes through at least three criteria that the report claims are applicable here and are satisfied. And then if you read or listen to the transcript from the underlying hearing, which I did, I believe our staff member from Historic went on to say that those were what they considered the three best criteria. But she didn't necessarily concede that some of the other criteria were met. My concern here is that there was no real

explanation from some of the members of the Board -- or I shouldn't say no explanation. There was nothing to refute the substantial evidence that was placed into the record on which the report relied. And so, we have certain facts about the fact that, you know, this was pre-World War, about Mr. Pancoast, about that it's -- it was done at a -- prior to the sort of proliferation of the ranch style, that it's an early example of a house that was custom designed by a well-known architect, and all these explanations and facts given for why these three criteria are satisfied. And I'm -- I'll be the first one to acknowledge, like many of the people respectfully speaking today, I'm not an architect and I'm not bringing my architectural expertise to this process. I am an attorney. I found Ms. Dunaj's comments earlier very interesting as well, as an appellate lawyer. And as an attorney, all I'm looking at is, you know, how the factors were considered and how the criteria were applied. And the challenge that I'm having is that I don't see anything that was set forth that refutes the substantial competent evidence that supports those criteria. I hear a lot of, you know, this isn't the person's most significant work, or this isn't the Biltmore, but those are not things that factor into those criteria. I also -- so that's my take on that. You know, in the broader context, should we revisit the way our process works? Maybe, but I think it's important what Dona Spain said earlier, you know, the fact that only 7 percent of historic determinations are even taken to the Historic Preservation Board, so that's already a very small number, and only 3 percent are designated. There's some concern about precedent and about a slippery slope, but none of the data we have about how this process has been handled to date supports that argument or the fact that, you know, that when we make these determinations, that all of a sudden, it opens the floodgates to a barrage of such designations. Everybody that I heard speak today recognizes that, of course, nobody intends to apply historic designation to every ranch-style home. I certainly don't, and I'm sure my colleagues don't view it that way. We recognize that this is a specific architect pre-World War and a unique example of a style. So, with that, I'm of the position that I would be in favor of overturning the determination of the Historic Preservation Board. Which I would just -- for what it's worth because I know there's been a lot of reference to individual members of the Board, which -- all of which I respect and are wonderful people who serve on our board, but for what it's worth, because it's been mentioned, I'll just say that's consistent with the position that my appointment to the Board (INAUDIBLE). That's all I have for now.

Vice Mayor Lago: Comments?

Commissioner Keon: I (INAUDIBLE) started and talked about the presentation from the Department. I think that was -- the role of the Board was either to look at that report, those criteria and either affirm or not affirm. I didn't see that in watching the video, nor did I see it in the record. So, I would agree with Commissioner Mena that I would vote to designate based on the information provided to us by the Department because I think that they provided the support for each of the criteria that they presented. So, I would also vote to overturn -- or to designate.

Vice Mayor Lago: Commissioner Fors.

Commissioner Fors: This is obviously not an easy decision. I, being an attorney and having dealt with appeals, understand the standard and really what goes into what can be considered in an appeal and what can't be. As I understand or approach this, it's not that we should go and sit in the chairs of the Historic Board that already made this decision, but determine -- and not that we should determine whether we agree with them or not. We can agree with them or disagree with them. I think we look at whether there's sufficient evidence in the record upon which they could have found that they did not believe it merited -- the property in question merited designation. I do believe that there's record evidence upon which they could have made that decision. I agree with Commissioner Mena that it's a bit problematic that many of the nay votes, if not all, did not explain their reason for voting against designation. That's actually a problem, as I'm sure Commissioner Mena knows, that occurs in any kind of appeal. Sometimes the record doesn't reflect the reason why the decisionmaker at the lower level made that decision. Like in any appeal, you have to give the person that you've put in position the benefit of the doubt and only overturn it if there's a complete absence of grounds for deciding the way they did. I don't believe the case is -- I don't believe that's the case here. And I think one big part of the reason is, like Commissioner Mena said as well, I'm not an architect. I'm not an expert in historic preservation. I believe that a lot of this criteria, although -- is to a certain point objective in terms of whether it

exists or not becomes at one point a subjective question. One example being, was this a representative work of Russell Pancoast or was this a work, as Mr. Pacheco said, was compromised? Once we get into that subjective analysis, I think that's the reason why at the appellate level were restricted to merely determining whether there was sufficient evidence on the record for there to have been a reasonable difference of opinion. I think that was the case here. I don't believe that the record is completely devoid of evidence regarding that "difference of opinion." I don't think we sit in a capacity to decide where we fall in terms of that opinion. And for that reason, it's my decision to refrain from circumventing the decision of the resident-appointed board with whom we charge the duty of making these kinds of decisions. And for that (INAUDIBLE), I'd vote to affirm the Board's decision.

Vice Mayor Lago: Thank you, Commissioner Fors. I just -- I'll be very brief. I'd like to ask a quick question of Ms. Kautz -- Kara Kautz, please, if she could just -- I had the -- I drove by the property, the subject property, a few days ago to take a really close look in regard to the architecture and certain features of the property. And I wanted to really understand and get your opinion if you were under the impression that any of the architectural features have been compromised, which really pointed to this architect's hands.

Interim Historic Preservation Officer Kautz: No. The only substantial changes to the property have been the replacement of the steel casement windows with more modern -- like the big glass window in the front where there used to be steel casements. And the garage doors have been changed from a carriage door style to another style, and that's the only substantive change to the property, so no.

Vice Mayor Lago: And I don't want to speak for Mr. Garcia-Serra, but I think he mentioned -- that was two hours ago -- I think he mentioned that there had been some changes to the actual aesthetic -- the façade of the property. I didn't have a rendering in front of me to be able to, you know, refer back to when the property was designed and built, so that's why I just wanted to, you

know, basically put that on the record because I couldn't really tell if there was a change or not. I know that...

Interim Historic Preservation Officer Kautz: It has been painted.

Vice Mayor Lago: There were some elements -- but there were some elements also, some like metal elements that I don't remember -- when I looked at the picture of the original...

Interim Historic Preservation Officer Kautz: No, this is -- it's substantially the same. There's -- nothing's been removed.

Mr. Garcia-Serra: Mr. Vice Mayor, if I could just clarify...

Vice Mayor Lago: Yes.

Mr. Garcia-Serra: What you're remembering. I agree with Ms. Kautz as far as what level of alteration has happened to the property. What you're remembering was the reference to the mural that sits in the library that had an image of another home and I was listing how that image wasn't consistent with the existing...

Vice Mayor Lago: I did get -- I didn't see the interior of the property so I'm just talking about the exterior. So, you know, to me, and living in a ranch-style home, you know, I wanted to really get more understanding of what slippery slope -- where were we headed as a city in regard to historic preservation. In the past -- and I continue to be a strong advocate on behalf of historic preservation. I'm very proud to have voted to try to designate the latest property that was on Catalonia, the LaSalle Cleaners, and in 2016, having put 229 Ridgewood on the agenda for consideration. All three of those I lost. I thought that those three properties were significant properties that deemed designation. I've looked at this property. I've given it much thought, and I find it very difficult at this moment to not side and affirm Historic Preservation's -- the Board of Historic Preservation's

decision. With that being said, our City Attorney can explain a little bit more in detail if there is a split in regard to the Commissioners that are in the room and what the -- and what we would have to do at the next meeting. But for this to move forward, I would need a motion from one of my colleagues.

City Clerk Urquia: Vice Mayor, before you have the motion, a lot of comments have been made about the letter by Arva Moore Parks. The emailed we received with the letter from her was not for this specific item. It was for the Dade Heritage Trust ordinance that is also...

Vice Mayor Lago: Okay, yes.

City Clerk Urquia: On the agenda...

Vice Mayor Lago: Thank you.

City Clerk Urquia: That should be coming up later on.

Vice Mayor Lago: Thank you. Okay, perfect. Perfect.

City Attorney Ramos: Vice Mayor, to your question, in accordance with Section 2-82(a)(4) of the City Code, when a tie vote occurs, the action shall be carried over to the next meeting of the City Commission. And then if a tie vote results at the subsequent meeting, the motion is deemed to have failed.

Vice Mayor Lago: Okay. So, I ask one of my colleagues to make a motion in regard to E-3.

Commissioner Mena: I move -- my motion is to affirm it.

Vice Mayor Lago: Second.

City Clerk Urquia: Vice Mayor, you second it?

Vice Mayor Lago: Yeah.

City Clerk Urquia: Okay. So, I'll call the roll.

Vice Mayor Lago: Yes.

Commissioner Mena: No.

Commissioner Fors: Yes.

Commissioner Keon: No.

City Clerk Urquia: You have a 2-2 vote, Vice Mayor.

Vice Mayor Lago: So, Madam City Attorney?

City Attorney Ramos: Well, someone can make a different motion...

Vice Mayor Lago: Yes.

City Attorney Ramos: Or it's going to be carried over to the meeting on May 24.

Commissioner Mena: I have a question in the process, Madam City Attorney. If it's -- so this is going to have to come back to us at the next meeting for another vote.

Vice Mayor Lago: Yes.

Commissioner Mena: Presumably, that vote will be the same, but we don't know, but let's just presume that for a moment. And assuming that happens, then the decision of the Board remains uninterrupted. Is that right?

City Attorney Ramos: Correct, because there's no -- the motion that was made failed, and it's...

Commissioner Mena: Okay. So...

City Attorney Ramos: Done twice at two meeting, so there's nothing else that can be done.

Commissioner Mena: So, here's my question. If we moved to remand the decision back to the Preservation Board so that the Preservation Board members who voted can clarify and articulate why they believe criteria are or are not met, would that delay the process? And what I mean by that is, would it then have to come back to us for another two votes or just the same single vote?

City Attorney Ramos: So, I think that that would be a new vote because now you would be potentially you would -- someone would appeal the decision then made by the Board upon second consideration. So, I mean, I guess -- it's a novel question because if you're only asking them -- not to rehear the case, but you're only asking them to explain to you why they voted the way they voted and not to reconsider their vote, simply to explain it to you, then, arguably, it's within the same process, meaning on the 26th, assuming we could have a special meeting of the Historic Preservation Board virtually between now and the 26th -- and on the 26th, you would have the benefit of their reasons and you could then have your second bite at the apple, pursuant to the Code section I just read. If you just remanded it to the board to have further proceedings and reconsider, then I think it starts the process over.

Commissioner Fors: And we have -- do we for sure have both those options?

City Attorney Ramos: The Code simply says remand. It doesn't explain how or with what instruction. So, my position is the Commission can ask them to remand or whatever, just like an appellate court can ask a judge, you know, to remand it to the trial court judge just to look at one issue.

Commissioner Mena: Do we have to formally remand with any instructions if we want to have their...

Vice Mayor Lago: Input?

Commissioner Mena: Explanation for their vote and how they evaluated the criteria being met or not being met? Or can that be done less formally, for lack of a better word.

City Attorney Ramos: I don't -- there's no option given in the applicable Zoning Code section for something in the middle. I think it has to be a vote to remand, but you could do it with instruction, not to have any further proceedings, just simply to have the board members explain their reasons.

Commissioner Keon: Are we precluded from talking to them since that would be ex-parte communication?

City Attorney Ramos: Yes, because now you're still going to be the appellate judge, for lack of a better word, reviewing what they did, so having communications with them is problematic.

Commissioner Keon: Okay.

Vice Mayor Lago: So, Madam City Attorney, if we had the route of Commissioner Mena's request and we asked for a little bit more clarity from the members of the Historic Preservation Board, would we be required to have another public comment, or would it just be whatever emails were sent into the Commission through the Clerk?

City Attorney Ramos: Because you would have additional evidence on the record, meaning their reasoning, I think it would be cleaner to allow the public to speak in whatever venue they do. The same weight is given, whether it's an email, an e-comment, on the phone, or on Zoom.

Vice Mayor Lago: Okay.

City Attorney Ramos: Because I do think they would have the right to address the reasons now given by the Board. There's new information that would be provided to the Commission.

Vice Mayor Lago: So, Commissioner...

Commissioner Mena: So, I'll just -- Vice Mayor, I'll give you my take.

Vice Mayor Lago: Yeah.

Commissioner Mena: As we were all talking, I was thinking about this option. I don't want to overcomplicate this or prolong it any longer than necessary. I stated my position on it, and I'll just throw in while the Mayor has recused himself from the process, I think the reason he recused himself is because he made his position abundantly clear before this meeting. And so, look, the truth of the matter is if the Mayor was here today, this would be a 3-2 vote. So, even though he's not part of this process formally and has recused himself, I don't want to unnecessarily prolong this if that's the will of this Commission, whether or not I agree with it or not.

Vice Mayor Lago: Okay.

City Attorney Ramos: I do have to state that the Mayor's absence should not be treated favorably, one way or the other.

Commissioner Keon: I'm prepared to just let it go to the next meeting.

Commissioner Mena: I'm fine with that.

Vice Mayor Lago: So, you're -- Commissioner Mena, you're fine with going to the next meeting, or you're fine with reconsidering the vote?

Commissioner Mena: No, I'm fine with the 2-2 vote and we vote again next meeting. Again, I don't want to overcomplicate things...

Vice Mayor Lago: Okay.

Commissioner Mena: With a remand when, in reality, given what I said but also -- look, I'm a vote in favor of reversing the decision of the Board, so I don't need to change my vote based on any intel we get from a remand. I think you and Commissioner Fors have voted and we are what we are. So, I'm okay with letting it go. I don't want to overcomplicate this thing and keep dragging it out. At some point -- I think the will of the Commission has been stated here today, and at some point, we need to be fair to the property owner and let this process continue to play out. So, I don't want to delay things unnecessarily. That's my position, but you guys are welcome to disagree.

Vice Mayor Lago: Perfect.

Commissioner Keon: Could I make a motion to just move it onto the next -- to continue it on to the next meeting? Is that the...

City Attorney Ramos: You don't need to make a motion, Commissioner Keon.

Vice Mayor Lago: You don't have to make a motion.

Commissioner Keon: It just happened?

Vice Mayor Lago: That's -- yeah.

City Attorney Ramos: It wouldn't be considered a continuance. By virtue of it being a tie vote, it automatically gets put on the next meeting.

Commissioner Keon: Okay.

City Attorney Ramos: And then you'll have another chance to vote at that time.

Commissioner Keon: Okay.

Vice Mayor Lago: So, with that being said, I mean, again, this issue has been addressed. We move on to the next item. Please make sure that we can get the Mayor back in the room so that we can move on.

City Attorney Ramos: Now, since this is not being remanded and there's no new information, there will not be another public comment portion.

Vice Mayor Lago: Okay.

City Attorney Ramos: It will simply be a...

Commissioner Mena: Understood.

City Attorney Ramos: Motion. We will call the item. It will be a motion and the Commission -- you know, the Commission will have the opportunity to vote one way or the other.

Vice Mayor Lago: Perfect.

Commissioner Mena: Understood.

Vice Mayor Lago: Thank you.

Commissioner Keon: Can I ask a question?

Commissioner Mena: Can we...

Commissioner Keon: Just for clarification, to the City Attorney, if we receive an email and we don't answer that email, is it considered ex-parte communication?

City Attorney Ramos: Yes, it is, because you've received information outside of the hearing.

Commissioner Keon: Oh, okay.

Vice Mayor Lago: And any...

City Attorney Ramos: So, what you should do is forward it to the Clerk so it can be made part of the record.

Vice Mayor Lago: So, that's what I was trying to explain before.

Commissioner Keon: Thank you.

Vice Mayor Lago: Any way you craft it...

Commissioner Keon: Right.

Vice Mayor Lago: Commissioner Keon, it's still ex-parte communication.

Commissioner Keon: Okay, now...

Vice Mayor Lago: Even if you don't respond or you do respond.

Commissioner Keon: Alright.

Vice Mayor Lago: Do you understand now?

Commissioner Keon: Yes, thank you very much.