

1 MR. SALMAN: To the next meeting is what I  
2 said.

3 MS. GARCIA: Yes, right. We'll  
4 readvertise. It's okay.

5 CHAIRMAN AIZENSTAT: Whatever the date,  
6 that will be discussed later the date. In the  
7 December meeting. Can we say that?

8 THE SECRETARY: There might be a change to  
9 the December meeting date again.

10 MR. BEHAR: Whenever Staff is ready.

11 CHAIRMAN AIZENSTAT: So, then, in that  
12 case, we have to put it --

13 MR. KOLLER: It's going to have to be  
14 readvertised because we don't have a date  
15 certain.

16 MS. GARCIA: That's fine.

17 CHAIRMAN AIZENSTAT: Okay. So your  
18 original -- Javier, just to be clear --  
19 gentlemen -- your original stays, it's not to  
20 the next meeting, it's when Staff is ready.

21 MR. WITHERS: Absolutely.

22 CHAIRMAN AIZENSTAT: Any other comment?  
23 No?

24 Call the roll, please.

25 THE SECRETARY: Sue Kawalerski?

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1 to the City of Coral Gables Official Zoning  
2 Code Article 12, "Ambience Standards," Section  
3 12-100, "Lighting," and Article 16,  
4 "Definitions," to provide for illumination  
5 standards and definitions; providing for  
6 repealer provision, severability clause,  
7 codification, and providing for an effective  
8 date.

9 Item E-3, public hearing.

10 MS. GARCIA: Jennifer Garcia, Planning  
11 Director.

12 So this is another change to our Zoning  
13 Code. So, right now, when we're talking about  
14 lighting requirements, we have a couple of  
15 areas where we have very vague requirements in  
16 our Zoning Code. And Article 2, in our Zoning  
17 Districts, we have the requirement that the  
18 external illumination and light in a building  
19 shall conform to Dark Skies Standards.

20 And, then, later on, in our Ambience  
21 Standards, in Article 12, was carved out to  
22 basically be able to add more guidelines in the  
23 regulations as far as lighting goes. During  
24 the Zoning Code update, we currently only have  
25 basically two subsections in there and they

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1 MS. KAWALERSKI: Yes.

2 THE SECRETARY: Felix Pardo?

3 MR. PARDO: Yes.

4 THE SECRETARY: Javier Salman?

5 MR. SALMAN: Yes.

6 THE SECRETARY: Chip Withers?

7 MR. WITHERS: Yes.

8 THE SECRETARY: Robert Behar?

9 MR. BEHAR: Yes.

10 THE SECRETARY; Julio Grabiell?

11 MR. GRABIEL: Yes.

12 THE SECRETARY: Eibi Aizenstat?

13 CHAIRMAN AIZENSTAT: Yes.

14 We're going to take a two-minute break, if  
15 somebody has to go to the rest room.

16 MR. WITHERS: Yeah. You got it.

17 CHAIRMAN AIZENSTAT: Just a two-minute.  
18 (Short recess taken.)

19 CHAIRMAN AIZENSTAT: Let's go ahead and go  
20 back into session. It's legislative, so Javier  
21 can come back in and join us.

22 MR. KOLLER: Sure. Should I read Item E-3?

23 CHAIRMAN AIZENSTAT: Yes, please.

24 MR. KOLLER: Item E-3, an Ordinance of the  
25 City Commission providing for text amendments

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1 deal with, lighting, as it relates to  
2 foot-candles next to single-family residential  
3 properties. And, then, in the County Code,  
4 there's some requirements as far as minimal  
5 foot-candles for open space, parking lots,  
6 alleys, et cetera. And, then, in our energy  
7 efficiency, the Florida Building Code also has  
8 lighting standards, as well, that we defer to.

9 So I will try my best to explain lighting.  
10 Luckily, I have some -- a guest speaker here to  
11 talk with us, as well, as far as lighting goes.  
12 So, right now, our Zoning Code only regulates  
13 foot-candles. Foot-candles is the amount of  
14 light you receive from any kind of device, at a  
15 certain area, how much light is being received  
16 in that area.

17 So when you have a photometric plan, you  
18 have different numbers and those represent  
19 different foot-candles, and that's what we were  
20 trying to meet, as far as the lighting of an  
21 area. Lumens, however, is not addressed in our  
22 Zoning Code, and it seems to be the main  
23 standard, as far as regulating the light.

24 That's kind of the brightness that you can see  
25 from a light, whether it's light that's

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1 tolerable from your eye, or if it's very, very  
2 bright. That's kind of the amount of lumens  
3 that you see.

4 And, then, different fixtures have  
5 different shielding. So you have unshielded to  
6 the far left. That's opposite. It doesn't  
7 have any kind of cover. Partially shielded  
8 would be that it doesn't have any uplighting,  
9 as far as going into the sky. And, then, fully  
10 shielded was really like a spotlight, that's  
11 fully shielded and you control where that light  
12 is going. And then there's correlated color  
13 temperature, which is really measured in  
14 Kelvin, and that's kind of the warmth of the  
15 light. So you have a range between -- in this  
16 graphic, between 2,000 Kelvin, which is a very  
17 yellow light, up to about 6,000, 6,500, which  
18 is very bright, almost blue light, and that's  
19 how colors of light are measured.

20 So we looked at some studies from different  
21 municipalities, and with the help -- with our  
22 resident here, what other cities are doing, as  
23 far as regulating light in their cities. 3000  
24 Kelvin was kind of the standard, when it comes  
25 to having a nice, soft white light and not too

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1 the light, so it's not too bright and obnoxious  
2 for your eyes when is late at night. It's more  
3 -- it's softer. Lumens is the brightness that  
4 you see from lights, And, also, we're  
5 addressing timing, as far as after a certain  
6 hour, it would be to not have that intense  
7 light, when people are typically sleeping.

8 So I was going to be very general, as far  
9 as what is in your packet today, not being  
10 specifics. So we have regulation, as far as  
11 taking into account of how multiple bulbs  
12 should be appropriately spaced out to maintain  
13 a low ambience. There's a lot of concern about  
14 some larger projects that have a lot of  
15 lighting around the rooftop, and that was  
16 probably -- if it was more spaced out, then  
17 those probably would not as obnoxious for  
18 abutting neighbors.

19 Also limiting redundant light. So, as you  
20 know, we have lighting on our streets, and that  
21 should be taking into account any kind of  
22 lighting on the prior properties, so we don't  
23 have redundant light, brighter areas than you  
24 really need moving forward.

25 Obviously, the temperature -- the color

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1 yellow and not too bright or blue.

2 Again, this is talking about different  
3 kinds of lighting, building illumination, as  
4 far as lighting the building, different package  
5 of feature, their street lighting. There is  
6 street lighting that happens, also, within the  
7 right-of-way that we're not really addressing  
8 directly in this proposed ordinance.

9 We also studied the Model Lighting  
10 Ordinance that was passed onto us by some  
11 residents from the Internal Dark Skies  
12 Association, with the Illuminating Engineering  
13 Society, which is kind of the lighting  
14 regulators of the country. And we cited as far  
15 as what they regulate lumens and what would be  
16 more appropriate for different parts of the  
17 city, as far as zoning, as far as uses,  
18 single-family, low density, versus more  
19 multi-family or more mixed-use commercial  
20 areas.

21 So we're addressing lighting in a few ways.  
22 Sorry. So the shielding is obviously shielding  
23 the light, so it's more contained and not  
24 spread out everywhere. Color temperature,  
25 again, is regulating that tone, that color of

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1 temperature, the 3000 Kelvin, like I said, was  
2 the standard throughout the country, different  
3 cities that are looking at this, to maintain a  
4 color, that you can see colors, for safety  
5 reasons, but also not too bright and blue and  
6 white.

7 And, then, limiting the heights and  
8 setbacks of light poles in residential areas,  
9 and then providing maximum lumens. We were  
10 able to work with a resident, who can't be here  
11 tonight, who is an expert at lighting, and she  
12 was able to look through all of this, and  
13 really calibrate it for what Coral Gables  
14 needs, as she lives here, and she's lived here  
15 for several years, and she was very, very  
16 helpful as far as telling us how to regulate  
17 the light, according to whether it's shielded  
18 or partially shielded or unshielded. And, of  
19 course, if it's unshielded, you would want to  
20 regulate the light more -- the lumens, I'm  
21 sorry. Regulate the lumens more. If it's  
22 fully shielded, then they can have higher  
23 lumens.

24 And, then, also, in this draft ordinance,  
25 you will see that the limitation of lighting of

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1 non-residential buildings to be on the base of  
2 the building and also the facade top of the  
3 building, and to require Board of Architects  
4 approval for the illumination of building tops  
5 of these mixed-use buildings.

6 And, then, to require a light reduction  
7 after work hours. Right now, the Florida --  
8 I'm sorry, the County Code allows you to reduce  
9 certain uses in parking lots after certain  
10 minutes -- I believe, 30 minutes after work  
11 hours, depending on the use. So this would  
12 basically be changing the Code to require that,  
13 that the County has, and to require it in our  
14 Code.

15 Yeah, I think that's it.

16 So I know it's a lot. It's very technical.  
17 So we're here to answer any questions. I'm  
18 here with Enrique Bernal, as well, who's kind  
19 of another resident expert on this.

20 So thank you.

21 CHAIRMAN AIZENSTAT: Thank you.

22 Do you want to call up the gentleman?  
23 Would he like to speak?

24 MS. GARCIA: Sure. My pleasure. Yeah.  
25 Thank you.

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1 assistance, I'll be glad to provide it, you  
2 know, at any time.

3 You know, the reason we got blue lights,  
4 that are so widely used in the public lighting,  
5 is because we could never get enough intensity  
6 from the incandescent bulbs. The only way we  
7 could get it was from things like mercury vapor  
8 bulbs, and, you know, we needed them for big  
9 spaces.

10 Now, the problem with blue light is, they  
11 interfere with the sleep cycle of beings. They  
12 interfere with the migration of birds. When  
13 there is high humidity or fog, you know, they  
14 make it impossible to see any distance, and,  
15 you know, it's -- you know, they essentially  
16 simulate the sunlight, so it is effective for  
17 enough intensity, but, you know, they were kind  
18 of a necessary evil.

19 In residential areas, especially, when you  
20 put these blue lights, you know, it affects  
21 everybody, and one element of this proposed  
22 ordinance is not only to control the color  
23 temperature to be a soft white, but also to  
24 shield the lights, because, you know, you can  
25 put any color of light, but if you put so many

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1 MR. BERNAL: My name is Enrique Bernal. I  
2 live at 718 Valencia Avenue, and I was a member  
3 of the Sustainability Advisory Board for six  
4 years. In that role, I worked with the City  
5 Managers and with the Public Works Department  
6 to look at the question of trying to convert  
7 all of the City-owned lights, the street  
8 lights -- the City has like 690 owned street  
9 lights -- from the incandescent bulbs to LEDs.  
10 I worked on that for about a year and a half.  
11 It was too early, because the City is highly  
12 dependent on that -- for public lighting, on  
13 FPL, so we ended up deciding to essentially let  
14 FPL have all of that business, but, you know,  
15 there is a great movement, you know, that  
16 occurred from that push, to convert much of the  
17 street lighting to LEDs and also to make sure  
18 that we insisted that FPL provide the 3000K  
19 lightbulbs, that they did not offer for six  
20 years. They only offered the blue ones, that  
21 were daylight.

22 In addition to that, I worked on LED  
23 technology, as a developer and as a user, for  
24 thirty years. So, you know, I'm a resource.  
25 If you have any questions, if you need any

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1 watts of energy into that bulk and you don't  
2 shield it, you know, you affect your neighbors.  
3 So, in residential areas, especially, it's  
4 critical to not have these blue lights.

5 And so I'm here to advocate, please, you  
6 know, think hard about supporting this  
7 ordinance, that will help the community have a  
8 more pleasant experience in our -- especially  
9 in our nighttime. And, again, I'm available at  
10 any time to discuss any matters, and there is  
11 another expert that has worked with us on this  
12 ordinance, that really knows everything about  
13 regulations and everything else.

14 So it's time to accept the fact that  
15 lighting is now an engineering function and an  
16 architectural function, because of the  
17 blessings of LEDs that come in different colors  
18 and everything else. And so I hope that you  
19 will give it serious consideration. Thank you.

20 CHAIRMAN AIZENSTAT: Thank you, sir. Thank  
21 you for coming.

22 Do we have any speakers, other than this  
23 gentleman, in Chambers?

24 THE SECRETARY: No more speakers.

25 CHAIRMAN AIZENSTAT: No more speakers,

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1 whether on Zoom or telephone? So, at this  
2 time, I'll go ahead and close it to speakers.  
3 So, Jennifer, in a nutshell, what do you  
4 want from us?  
5 MR. BEHAR: Thank you.  
6 MS. GARCIA: A recommendation for approval  
7 to move forward to the Commission.  
8 CHAIRMAN AIZENSTAT: With the way you have  
9 proposed it, with the 3000?  
10 MS. GARCIA: With the 3000, with the  
11 maximum lumens for different shielding options,  
12 whether it's unshielded or to have a higher  
13 limitation of lumens. Versus, if it was  
14 shielded, then it could have a lot more light.  
15 As for where to have light, it should be on  
16 the base and the top and not just --  
17 CHAIRMAN AIZENSTAT: So you're not allowed  
18 to do anything within the center of your  
19 building, on a commercial project?  
20 MS. GARCIA: Unless approved by the Board  
21 of Architects. If they deem it to be really  
22 appropriate that some kind of center piece in  
23 the body of the building, because you have the  
24 base, body and the top, and they feel like  
25 that's appropriate, right now, it's open ended

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1 and there's been some things that have been  
2 approved that people have strong concerns  
3 about.  
4 CHAIRMAN AIZENSTAT: So, the Board of  
5 Architects, in general, does not approve the  
6 lighting today?  
7 MS. GARCIA: Not directly, no.  
8 CHAIRMAN AIZENSTAT: Are you now going to  
9 say that the Board of Architects has to approve  
10 lighting?  
11 MS. GARCIA: On the top, yes.  
12 CHAIRMAN AIZENSTAT: What about the center  
13 of the building?  
14 MS. GARCIA: If they're proposing something  
15 for the body of the building, yes.  
16 CHAIRMAN AIZENSTAT: So the Board of  
17 Architects is going to have that task, to  
18 approve lighting?  
19 MS. GARCIA: Yes.  
20 MR. PARDO: It's not presented to them.  
21 MR. BEHAR: A question. Were photometric  
22 studies done to determine, you know, light  
23 intensity, because -- I mean, this just came  
24 out of the air?  
25 MS. GARCIA: So this was heavily based off

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1 of that draft, the model ordinance I showed  
2 you, from the Dark Skies Association, mixed  
3 with the engineering -- yes, right.  
4 So we basically drafted a draft of --  
5 MR. KOLLER: It would be helpful if you  
6 could come up to the -- because when you're  
7 speaking, the reporter is taking it, so it  
8 makes it easier.  
9 MR. BERNAL: The Illumination Engineering  
10 Society is the premier engineering society for  
11 this topic, and they developed these standards  
12 about -- more than ten years ago. So different  
13 cities have been adopting them.  
14 CHAIRMAN AIZENSTAT: Thank you.  
15 MS. GARCIA: Right. So we used a lot of  
16 those standards that they had in there, and we  
17 calibrated that to make more sense in Coral  
18 Gables. Our resident expert was actually part  
19 of that initiative, back in 2010. So she was  
20 extremely helpful to understand what the intent  
21 of that was, and help make it more for Coral  
22 Gables.  
23 She actually increased on the lumens,  
24 because she knows that properties here were  
25 much larger than what this was drafted for. So

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1 those kinds of feedbacks from her was extremely  
2 helpful.  
3 CHAIRMAN AIZENSTAT: I just didn't see it  
4 in here, where it's tasked to the Board of  
5 Architects to approve lighting, whether -- for  
6 the other parts of the building. Because you  
7 said, "If it's appropriate, the Board of  
8 Architects can go ahead and give it."  
9 MS. GARCIA: Yeah. This is under  
10 Subsection 12-103, for the Non-Residential  
11 Outdoor Lighting, under B -- let me see here --  
12 Number 3 talks about where that light should  
13 happen for the building exterior. So it should  
14 be on the building facade base, and examples of  
15 what that means, parking podium, and then the  
16 top, and then it says, "Unless approved by the  
17 Board of Architects."  
18 And, then later on, it talks about Number  
19 5, "Proposed illumination of the facade top of  
20 non-residential buildings," which are your  
21 mixed-use commercial buildings, that require  
22 approval by the Board of Architects.  
23 CHAIRMAN AIZENSTAT: So that would be on  
24 Page 3, continuing on 4?  
25 MS. GARCIA: I'm sorry, top of Page 6. So

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1 under Subsection 12-103, which starts on page  
2 5. So Page 6, the next page, Number 3, talks  
3 about the Board of Architects allowing the body  
4 of the building to be illuminated, as they deem  
5 to be appropriate. They know what these  
6 limitations are, they know the intent is not to  
7 have an excessive amount of illumination. So I  
8 assume they would read that in to be just  
9 limited areas, and then, also, Number 5, which  
10 talks about the facade top to require approval  
11 by the Board of Architects.

12 CHAIRMAN AIZENSTAT: Robert, you had some  
13 comments you --

14 MR. BEHAR: No. I mean, in principle, I'm  
15 okay. I just want to make sure, whatever we  
16 do, you know, it does not affect the required  
17 foot-candles, specific, you know, requirements,  
18 you know, that I'm not creating another  
19 problem --

20 MS. GARCIA: Right.

21 MR. BEHAR: -- by lack of illumination.

22 MS. GARCIA: Yeah. This is not superseding  
23 any requirement for parking lots or alleys for  
24 safety reasons. The Florida -- I'm sorry, the  
25 County Code does allow you to reduce those, for

1 trouble. I would think that you'd want to make  
2 sure that this would be allowed by that  
3 ordinance, because it was a disaster when this  
4 happened.

5 The second thing is that on Page 1 of your  
6 recommendations -- or the background  
7 information, rather, says, "The City prides  
8 itself with its efforts to maintain low  
9 ambient lighting and minimizing light  
10 overspill onto adjacent properties, and,  
11 particularly, in residential neighborhoods."  
12 Let me tell you something, I've lived in my  
13 home for 35 years, and right now, I have to  
14 close my blinds on my family room, because of  
15 all of the overspill that I get from the new  
16 developments in the City of Coral Gables.

17 I feel uncomfortable that it only  
18 encompasses -- on the second page, "The  
19 proposed general requirements aim to further  
20 enhance lighting standards across the City to  
21 apply any new installation, on new or existing  
22 buildings." So, in other words, all of the  
23 problems that we have, for example -- what's  
24 the name of this project, the -- my favorite  
25 project --

1 certain uses, that don't have occupancy after  
2 certain hours, that you can reduce those. This  
3 would be requiring that they do reduce those  
4 light candles to the minimum requirement that  
5 Miami-Dade County allows, right. So this isn't  
6 superseding anything that Miami-Dade County or  
7 the State, I guess, the Florida Building Code.

8 MR. PARDO: Mr. Chairman --

9 CHAIRMAN AIZENSTAT: Yes, sir.

10 MR. PARDO: -- I'd like to ask a couple of  
11 questions.

12 CHAIRMAN AIZENSTAT: Please.

13 MR. PARDO: Since you just mentioned this,  
14 I'll go back to what I originally was going to  
15 say, but the reduction of the lights in the  
16 parking lots, in the rooftop parking, the  
17 reason that the minimum foot-candle, which was  
18 unprecedented, was put into the Miami-Dade  
19 Code, as an ordinance, not part of the zoning  
20 regulation, as an ordinance, was because an  
21 Eastern Airlines stewardess was murdered at  
22 Miami International Airport, and that was  
23 because of a lack of lighting. So it was a  
24 safety issue. Turning these things down, you  
25 know, during the night, is just borrowing

1 MR. BEHAR: The Plaza.

2 MR. PARDO: The Plaza. The Plaza, if  
3 you're out in the middle of the bay, on your  
4 boat, you could see the plaza like if it was a  
5 landing strip. It is incredible the amount of  
6 light, basically, at the cornice level, if you  
7 will, of the building.

8 The other thing is that, the way this is  
9 written, let's say we want to uplight the  
10 building, to do basically what they have at the  
11 Biltmore, to come up with these distinguished  
12 areas and do it in a subtle way, in keeping  
13 with the architecture, you're only saying you  
14 could only do it on the pedestal and up above.  
15 So you're not allowing any type of lighting,  
16 such as uplighting, to be able to accentuate  
17 and complement the architecture.

18 MS. GARCIA: So to go back to your point  
19 about the parking lots, so, right now, Section  
20 A-C -- I'm sorry, AC-3, in the County Code,  
21 allows you to reduce the percent, depending,  
22 again, on the occupancy type, right. So if  
23 it's a government facility that has evening  
24 meetings, that would not be allowed to reduce  
25 that wattage percent, per the County Code, and

1 we're not superseding that. This is, where you  
2 may do it in the County, we are requiring it.  
3 So I don't think it's a safety concern. We're  
4 not superseding that.

5 MR. PARDO: And the reason I brought it up  
6 is just to make sure that -- remember, the  
7 reason that was passed was because of a basic  
8 safety issue, and especially in parking  
9 garages, et cetera.

10 MS. GARCIA: Right. And so then we use the  
11 Biltmore as an example of where lighting would  
12 be more appropriate. So the Biltmore really  
13 does light that architectural feature, the  
14 tower, the top part of this, and the base. The  
15 middle portion of it is not really lit. It's  
16 lit because of the occupancy behind it, the  
17 windows that have light behind them, the rooms,  
18 but there's not much features that are lit on  
19 the building middle.

20 MR. PARDO: On the picture that you have on  
21 the display right there right now, I mean,  
22 there is some and it can make a big difference.  
23 For example, if you have a manzar up on top of  
24 the roof and you highlight it, but if you have  
25 a manzar at mid level, you wouldn't be allowed,

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1 based on the way that it's written --

2 MS. GARCIA: Unless it's approved by the  
3 Board of Architects.

4 MR. PARDO: -- and the way that it's  
5 interpreted.

6 MS. GARCIA: Right. By the Board of  
7 Architects, we're going to be able to allow  
8 that.

9 MR. PARDO: That disturbs me. The BOA  
10 basically is not looking at these things from  
11 an architectural standpoint, which I think is  
12 critical. It's not just technical. You know,  
13 it's not two plus two is four. Sometimes it's  
14 what you're doing with it and how you are  
15 enhancing it and also how you bring it from the  
16 building to the parking lot or to the  
17 right-of-way.

18 MS. GARCIA: So they are looking at  
19 renderings. Usually we require some kind of  
20 night rendering, that's part of DRC comments,  
21 that when they go to the Board of Architects,  
22 they have some kind of rendering, so the Board of  
23 Architects can be able to react --

24 MR. PARDO: If they are, please explain to  
25 me, when I go down Alhambra, how The Globe was

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1 permitted to put all of those red lights on  
2 that. It is embarrassing. How did they get  
3 that approved? I guarantee you the Board of  
4 Architects did not look at that. I mean, that  
5 is just an embarrassment, because it's like an  
6 eyesore.

7 MR. BEHAR: Red Light District.

8 MR. PARDO: I'm sorry? Well, I mean,  
9 everybody has to have a Red Light District,  
10 right, but that is just the wrong thing to say,  
11 Robert.

12 So the whole point about this is that I  
13 would feel much more comfortable that -- if no  
14 one approved it -- you know, some of these  
15 buildings have, I mean, just bad, bad lighting  
16 design, which can be fixed, and we're not  
17 putting anyone to that pressure, to fix the  
18 problem that exists today. This is why this  
19 thing came up. It's not because of energy  
20 savings, which is written all over the place,  
21 "It's about the City prides itself with its  
22 effort to maintain low ambient lighting and  
23 minimizing the light overspill onto the  
24 adjacent properties, particularly in the  
25 residential neighborhood." It makes a big

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1 difference, and I don't think that it's  
2 specific enough to be able to say, "You have to  
3 make sure that this thing looks better than  
4 what it does."

5 And, also, you know, people change a  
6 lightbulb from soft white or warm white or  
7 whatever it is, to red. You know, how do you  
8 do that? "Well, you don't know. Oh, it was  
9 approved like that before."

10 "No, it wasn't and you probably did it  
11 without a permit or you didn't get it with any  
12 approval," and I think that's wrong. I think  
13 that you have an opportunity to correct some of  
14 the past mistakes that exist, that we look at  
15 every single evening.

16 MS. GARCIA: Right. So right now, our  
17 regulations that we have in our Zoning Code are  
18 very limited. I just went over it, right. We  
19 have keep Dark Skies Standards, which we don't  
20 comply with. In talking with our experts, we  
21 can't even comply with that, as far as the City  
22 goes. It's just impossible. So we're striking  
23 through that, because we're basically  
24 implementing what Dark Skies Standards is meant  
25 to be into our Code, so it's very clear that we

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1 want limited lighting. We want limited  
2 illumination of these buildings, so they're not  
3 an eyesore, they're not a ring of fire, they're  
4 not this obnoxious neighbor and more in keeping  
5 with the neighborhood character I mentioned  
6 here.

7 MR. PARDO: Well, I just think that that  
8 ship has sailed. We have these buildings, and I  
9 think that we have to really be able to talk to  
10 the owners, so it could be corrected, and I  
11 think -- you know, it's not to add an  
12 additional burden on the owner, but it's to,  
13 you know, put it back in the stable.

14 MR. KOLLER: So, Mr. Chair, the Board could  
15 recommend that these standards be applied to  
16 existing buildings. I mean, that's an issue.  
17 It may be a problem applying to already built  
18 structures, but if it's the Board's desire that  
19 they want to recommend to the City Commission  
20 to do that, you can do that, as part of your  
21 recommendation.

22 MR. PARDO: Mr. Chairman, can I address  
23 Mr. Koller?

24 CHAIRMAN AIZENSTAT: Please.

25 MR. PARDO: Mr. Koller, I think you are a

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1 hundred percent right. I think this is the  
2 mechanism to do it. It could be even a  
3 volunteer thing. It could be a mutually  
4 acceptable type of thing. I guarantee you,  
5 that most of the people that own buildings that  
6 have been lit, they've done it afterwards.  
7 They've relied on people, and sometimes they  
8 don't turn out the right way. And that doesn't  
9 mean that you have to disinstall something.  
10 Sometimes it just means, you know, putting the  
11 right dimer on it, doing the right whatever.

12 But I'm just saying that we have an  
13 existing problem, that affects all of the  
14 residential areas in the City, because you  
15 could see that from miles and miles away.

16 MR. BERNAL: May I make a comment relative  
17 to Mr. Pardo's --

18 CHAIRMAN AIZENSTAT: Yes. I'll go ahead  
19 and allow that.

20 MR. BERNAL: Thank you.

21 I want to support exactly what he's saying,  
22 but I think that there is an element of that in  
23 the proposed ordinance, because -- certainly,  
24 for residential, there is. The effectivity  
25 date for existing properties, it says that it

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1 is immediately, basically, upon passing of the  
2 ordinance. So I think you're bringing up  
3 something that may have been left out  
4 inadvertently, which is, does the effectivity  
5 date, Jennifer, also apply, for example, to the  
6 Globe? Because this will not allow The Globe  
7 to have that red light in the front? Am I  
8 wrong or -- you know, can you clarify that for  
9 us?

10 MS. GARCIA: Yeah. Yeah. So we had  
11 discussed about when to -- if we should  
12 retroact this, we should allow -- give a grace  
13 period for existing buildings, if we should  
14 have it be effective as soon as adoption.  
15 We're still discussing that, and I can see that  
16 if the concern is really to make it retroactive  
17 for existing buildings, which is a great  
18 discussion to have, and I appreciate it --

19 CHAIRMAN AIZENSTAT: Thank you, sir.

20 MR. PARDO: And the other thing is, it's  
21 not one red lightbulb. It's like, I don't know  
22 how many. I mean, I get kind of dizzy when I  
23 go by there. It is the quantity. I mean, it's  
24 just in your face. This is wrong.

25 CHAIRMAN AIZENSTAT: But let me ask you

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1 something, just going back to The Globe, was  
2 that permitted that way to do it or are you  
3 saying, they just stuck red lightbulbs on?

4 MR. PARDO: They changed the lights from  
5 one day to the other.

6 CHAIRMAN AIZENSTAT: But is there anything  
7 in the Code that says you're allowed to do that  
8 or not?

9 MS. GARCIA: It doesn't say anything.  
10 Really, we have those two standards, Dark Skies  
11 Standards, which you can't comply with, and  
12 then very limited standards, as far as being  
13 next to a residential district.

14 CHAIRMAN AIZENSTAT: So if you go back and  
15 you want to look at existing structures, are  
16 you saying to go to The Plaza and tell them to  
17 change all of their lightbulbs, also?

18 MR. PARDO: Mr. Chairman, I would say  
19 that -- I mean, that particular example, I'd go  
20 back to microfilm permitted drawings and see,  
21 Number One, if they added quantity, you know,  
22 because, right now, you're talking about  
23 quantity and intensity. The Globe always had a  
24 certain atmosphere that was fantastic, and,  
25 then, all of a sudden, it's gaudy.

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1 And, then, the other thing is that, even at  
2 The Plaza, I mean, they've permitted everything  
3 there, but I would like to see how those  
4 lights -- those rope lights got put up there,  
5 because I would be very surprised if they're on  
6 the plans. And if they are on the plans, maybe  
7 there's a way of reducing the intensity. The  
8 intensity is what we're talking about.

9 MS. GARCIA: Right. So those are mostly on  
10 electrical plans, because they required  
11 electrical uses to get to them. So they're on  
12 someone's plans, as far as The Plaza. I'm not  
13 sure about The Globe. The Globe probably  
14 already had existing lighting. They probably  
15 changed the colors, perhaps.

16 MR. KOLLER: I'm not sure we should  
17 necessarily be addressing specific properties,  
18 and whether they're in compliance or they're in  
19 violation.

20 MR. BEHAR: Agreed.

21 MR. KOLLER: Because they're not here,  
22 they're pre represented. I think the general  
23 concern, the legislative concern, is compliance  
24 with this Code, whether there should be to  
25 existing buildings, whether there should be a

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1 lighting.

2 So we had meetings out there, right on the  
3 field, and I recall the explanation was very  
4 simple. The higher it is, and you put shields  
5 on them, et cetera, you are focusing on those  
6 areas. That's using common sense, and, you  
7 know, technology of the time.

8 Nowadays, those shields have been lost with  
9 hurricanes over the years, but the technology  
10 has gotten better, where they can focus those.  
11 You have spillage and that kind of thing. So  
12 you have to be careful, because those are  
13 hundreds of thousands of dollars that are  
14 invested in our parks, to make sure -- and they  
15 do get turned off when they're not being used.

16 CHAIRMAN AIZENSTAT: But that's programed.

17 MR. PARDO: Correct, because of the  
18 programing, but what I'm saying is, you've got  
19 to be careful. You know, based on what Chip  
20 said right now, that these areas -- these  
21 things are somehow included in your ordinance,  
22 you know, as far as acceptable levels of  
23 spillage, and the spillage is called out in  
24 almost every Zoning Code, as far as adjacent  
25 properties.

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1 grace period for a period of time to do that,  
2 and, of course, you can also recommend that the  
3 City Commission consider directing the  
4 departments to make sure that the lighting is  
5 in compliance with whatever is permitted. You  
6 can have that as a general recommendation to  
7 the Board, as well, generally, without citing  
8 specifics.

9 MR. WITHERS: Does this impact the Youth  
10 Center or the Phillips Park? Are we in  
11 compliance with this new regulation?

12 MS. GARCIA: Probably not.

13 MR. WITHERS: Okay. Well, just a  
14 consideration.

15 MS. GARCIA: Yes.

16 MR. PARDO: And I just want to tell you  
17 something, that when the Youth Center was  
18 redone, 35 years -- a little bit less than 35  
19 years ago, they had wood poles there, and they  
20 were the old stadium type poles, and it was  
21 horrible. Then, what they did is, they  
22 redesigned the lighting, when they were doing  
23 the big expansion of the Youth Center, and they  
24 redesigned the lighting, and the neighbors went  
25 crazy, because they heard of the height of the

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1 MS. GARCIA: Right. So for the use -- I'm  
2 just concerned about the foot-candle spillage,  
3 I could be wrong, as far as --

4 MR. PARDO: It's --

5 MS. GARCIA: No, I mean, I could be wrong,  
6 if that's the concern. I think they're  
7 lighting many adjacent properties beyond the  
8 half a foot candle maximum. That's right  
9 now -- in our Zoning Code right now. So we can  
10 always, you know, enforce that, right.

11 My concern is that I'm not sure if we're  
12 complying with the Kelvin or the lumens.

13 MR. WITHERS: We'll find out.

14 MS. GARCIA: Yes.

15 MR. WITHERS: I'm done.

16 CHAIRMAN AIZENSTAT: Sue, any comment you'd  
17 like to make?

18 MS. KAWALERSKI: No.

19 CHAIRMAN AIZENSTAT: Javier.

20 MR. SALMAN: Lighting has always been, to  
21 many, much more of an art than a science,  
22 mainly because there's such great variety  
23 within the photometrics that are allowed under  
24 Code. I don't necessarily have a problem with  
25 shielded lighting, but you also have to deal

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1 with the surfaces to which the lighting is  
2 being broadcast to and its reflectivity, with  
3 regard to light pollution. I mean, the  
4 document starts by saying we need to reduce  
5 light pollution and to more appropriately  
6 light, within certain residential areas, versus  
7 commercial areas, and the differences involved  
8 with those.

9 There are some photometric measurements in  
10 that proposed Code, but not enough to where I  
11 can feel comfortable in trying to enforce it,  
12 because it's very subjective as to how the  
13 photometric work is actually done, with  
14 regarding to spacing and the intensity and  
15 there are some -- a whole series of factors  
16 that go into the actual calculation of the  
17 illumination on the surface.

18 Likewise, even in some of the graphics that  
19 were provided, you have lighting for streets,  
20 versus lighting on sidewalks, versus lighting  
21 coming off of commercial space, and the amount  
22 of light coming off a commercial space can  
23 radically change the light levels that you're  
24 walking through. Light level and the  
25 perception of space is one of the things that

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1 have it on or off and it makes a huge  
2 difference.

3 With regards to public areas and parking  
4 areas, I'm not all that crazy about the idea of  
5 reducing illumination at night, because who  
6 sets the time whereby that lighting is being  
7 reduced?

8 MS. GARCIA: The County.

9 MR. SALMAN: And I see that as being  
10 problematic. So, in general, I sort of applaud  
11 the direction where we're going. In specifics,  
12 I have grave concerns as to the applicability  
13 and the enforceability of some of these  
14 requirements, and the mechanism by which they  
15 would be enforced are somewhat open and need to  
16 be addressed, just like as part of Code  
17 Enforcement. I think that's where this would  
18 end being, and they need to have some sort of  
19 guideline by which they would be able to  
20 enforce it, and that's where you catch it,  
21 because it's not being necessarily caught by  
22 the Board of Architects through the design  
23 process. And, again, there's great variation  
24 between what's approved and what's actually  
25 installed.

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1 is very tricky to do, because it has to do with  
2 not only the ambient lighting, but the  
3 surrounding level of darkness in area as to how  
4 your eye opens or closes, and the amount of  
5 light that it lets in, and I've actually had to  
6 do a lot of these kinds of studies for  
7 different cities, including for Miami Beach. I  
8 did something for the City of Coral Gables many  
9 years ago.

10 And unless those things are addressed with  
11 regards to light spillage and light  
12 misdirection -- you know, I have a situation --  
13 or I've been in situations where we have houses  
14 that are so lit, that it makes the other  
15 houses, which are perfectly fine, look dark,  
16 because of the contrast between one and the  
17 other, and when you're walking at night, it can  
18 be somewhat difficult to deal with.

19 So with regards to its applicability in  
20 residential areas, I think that the uniformity  
21 of light is just as important as the intensity,  
22 and that is much more difficult to control,  
23 especially when you have all sorts of people  
24 contributing or not contributing or irregularly  
25 contributing at different times, when they may

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1 The change in the actual intensity of the  
2 actual light fixtures or the elements, make a  
3 huge difference on the quality of the light,  
4 regardless of what the design says and what the  
5 original photometrics say. So we're going down  
6 a road where it's going to be extremely  
7 difficult to create a standard by which we can  
8 all live with, in a way that is enforceable,  
9 and my concern is that it's going to be  
10 unenforceable.

11 CHAIRMAN AIZENSTAT: Good point.

12 MR. SALMAN: So that's my opinion. I  
13 applaud the direction. I think it's just too  
14 unenforceable, moving forward, whether it's  
15 existing or proposed.

16 CHAIRMAN AIZENSTAT: Julio.

17 MS. GARCIA: Proposed would really just be  
18 part of their permit. We would ask for their  
19 number of lumens. We'd see where it is on the  
20 site plan for the elevation. I think the  
21 concern is for existing.

22 MR. BEHAR: That's the problem.

23 MR. SALMAN: We would then have to have it  
24 checked, at the point of completion, for a CO,  
25 as one of the checks.

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1 MS. GARCIA: That's part of the inspection,  
2 permit inspection. Right. Yeah. Absolutely.

3 MR. SALMAN: Then be recorded, and that's  
4 what they would need to meet from then on for  
5 new construction.

6 MS. GARCIA: Correct. Right.

7 MR. SALMAN: What happens when the bulbs go  
8 out? What happens when the bulbs get changed  
9 and you have old bulbs and new bulbs and the  
10 difference between one and the other is always  
11 apparent, because the bulbs --

12 MS. GARCIA: Well, if it's apparent, then  
13 it can be addressed with Code Enforcement.

14 MR. SALMAN: You're forcing people to then  
15 change all of the bulbs in their building.

16 MS. GARCIA: Yeah.

17 MR. SALMAN: Okay. And so that's another  
18 unintended consequence. So on and on. It's  
19 problematic as to -- I have no problem setting  
20 it up as a goal and as a potential guideline  
21 for best practices, but I have a problem when  
22 it comes to making it a piece of enforceable  
23 legislation, that then has to be conformed  
24 through Code Enforcement, because it's going to  
25 be extremely difficult to do, extremely

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1 difficult to do, where you're not going to run  
2 into exceptions or situations that are specific  
3 to a particular building, a particular  
4 location, based on its surrounding, that has  
5 nothing to do with what the building is doing.  
6 Do you follow me?

7 I can give you a very specific example. We  
8 were -- we were asked to do -- there was a  
9 problem on Lincoln Road, and our firm was  
10 brought in to look at what the problem was, and  
11 we went up and down at night and measured all  
12 of the light levels, and we found them to be  
13 fairly uniform, when it came down to the level  
14 of light that was being cast by the light  
15 fixtures that were in place.

16 However, when we took into account the fact  
17 that there were trees, in certain areas, which  
18 cut down the light level as it was being  
19 produced by these light fixtures, or you came  
20 by the storefront which was completely lit up  
21 and broadcasting light on the sidewalk, you get  
22 these huge differences in actual perceived  
23 light, which you're measuring, and there were  
24 people tripping and falling, and that was the  
25 reason they called us in.

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1 I said, "Well, your problem is that you  
2 didn't have an even enough lighting, soft  
3 enough change in the level over a period of  
4 distance, for people to adjust," and they were  
5 walking from very bright, to slightly less  
6 bright, and it perceived as being dark, and  
7 they were tripping, because they didn't see the  
8 surface of the ground they were walking on.

9 So it's not as cut and dry as this proposed  
10 legislation purports, and that's my concern.

11 CHAIRMAN AIZENSTAT: Thank you.

12 Julio.

13 MR. GRABIEL: Yes. I've got a couple --  
14 one question. How are the fixtures that we  
15 used on the streets of Coral Gables selected?  
16 We used to have a standard, the silver -- I  
17 don't know what you call that fixture -- the  
18 old fashioned --

19 MS. GARCIA: The acorn fixture, yeah.

20 MR. GRABIEL: But yet I've seen places  
21 where it's not being used anymore. Have we  
22 eliminated that fixture completely?

23 MS. GARCIA: You mean, the silver versus  
24 the black fixture? There's a whole ongoing  
25 conversation about that. I'm not well-versed

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1 to actually explain it very well. Basically it  
2 FPL is no longer supplying the silver that  
3 we're used to seeing.

4 MR. GRABIEL: It's FPL's decision?

5 MS. GARCIA: It's an FPL decision, for  
6 whatever reason. SO now we're only allowed to  
7 have the black ones. And the City is  
8 considering if the City should take ownership  
9 of those and have the silver ones and pay for  
10 the infrastructure.

11 MR. SALMAN: And there's no talking about  
12 painting the black one silver, right?

13 MR. GRABIEL: Well, it's a different  
14 fixture altogether.

15 MR. SALMAN: Really? It's actually fairly  
16 similarly shaped. It's just black, as opposed  
17 to silver. Now, the original ones are cast  
18 iron and they were called the Great White Way  
19 Light fixtures.

20 MR. GRABIEL: But they eventually made them  
21 plastic and --

22 MR. SALMAN: And then they started making  
23 them in plastic -- the City's been having this  
24 ongoing background discussion, and I was part  
25 of it 20 years ago. I mean, this is an old

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1 problem. I mean, we've looked at moving the  
2 light fixtures around the Granada Golf Course,  
3 and the residents were up in arms, and "How can  
4 you touch those bright lights, you know, those  
5 fixtures? You know, that's part of the history  
6 of the area, and they provide enough lighting  
7 for people to walk and stroll around the golf  
8 course at night, and please don't change them,"  
9 and it was a big issue. I mean, a big  
10 political issue.

11 MR. GRABIEL: Yeah. I live there.

12 MR. SALMAN: And you probably remember that  
13 it was a big issue. And so FPL said, "No,  
14 we're not going to service them." Well, you  
15 know that, we forced them into servicing them,  
16 and they replaced them, and that was it. So  
17 it's a matter of will, to a certain extent, but  
18 that's not what we're here to discuss.

19 MR. GRABIEL: That was my only question.

20 MR. SALMAN: No, but I'm answering your  
21 question, only because I just happen to have  
22 been in the room at the time.

23 MR. GRABIEL: Thank you, sir.

24 MR. KOLLER: Mr. Chair, you may want to  
25 consider doing a time extension, because --

1 enforce anything, because there's nothing in  
2 our Code that says it.

3 MR. BEHAR: The red light that Mr. Pardo  
4 doesn't like cannot be enforced.

5 MR. KOLLER: So, as part of the Board's  
6 recommendation on this item, you have an  
7 option. You can chose to recommend (A) that it  
8 should be best practices. That was something  
9 we heard. (B) you can say, well, it should be  
10 enforced, but we feel it should only be  
11 enforced in new construct. That may be another  
12 choice that you choose to make. Or (C) we  
13 think it should include both, future  
14 construction and existing construction.

15 So you have a lot of options on your  
16 recommendation.

17 CHAIRMAN AIZENSTAT: It's tough. For me --  
18 for me, myself, I don't know which way I would  
19 go on that recommendation, from what I've heard  
20 tonight.

21 MR. KOLLER: Well, the way to start it is,  
22 somebody has to say, "I would like to make an  
23 amendment" or "I would like to approve it as  
24 is" or "I would like to disapprove it."

25 CHAIRMAN AIZENSTAT: Anybody like to make a

1 CHAIRMAN AIZENSTAT: Well, it's 8:45.  
2 Let's see if we can wrap this one up, one way  
3 or another.

4 MR. KOLLER: Okay.

5 CHAIRMAN AIZENSTAT: I mean, to me, what  
6 I'm sensing is, how do you handle existing to  
7 conform, and that's an issue for me.

8 MS. GARCIA: Yeah, I mean, basically the  
9 best way to do it is to ask for that fixture,  
10 look up the model and the company and  
11 manufacturer and see the amount of lumens and  
12 Kelvin that picture has, which is not the best  
13 way to enforce anything.

14 CHAIRMAN AIZENSTAT: Well, that's a problem  
15 for me.

16 MS. GARCIA: But it's enforceable. It's just  
17 not the best practice.

18 CHAIRMAN AIZENSTAT: And obviously, the  
19 other part is, any of the old projects that  
20 were done, for whatever reason, no matter what  
21 the project is, if there is a complaint with  
22 lumens or so forth, that it's too much, I would  
23 assume that Code Enforcement gets a complaint  
24 based on it --

25 MS. GARCIA: Sure, because they can't

1 motion?

2 MR. PARDO: And you can't just defer it?

3 MR. KOLLER: Pardon?

4 MR. PARDO: Can I just defer it, with  
5 direction to Staff?

6 MR. KOLLER: You have that option, to  
7 defer, with direction to Staff. You have that  
8 option, as well.

9 MR. PARDO: I'd like to make a motion to  
10 defer this particular item, with direction to  
11 Staff, based on the feedback that they received  
12 from this Board tonight.

13 MR. KOLLER: Well, what feedback have you  
14 given? You need to give some direction to  
15 them, because I hear several things. I've  
16 heard, One, it should be best practice. I've  
17 heard a second, really should apply it to  
18 existing. And I've heard a third one, it's  
19 really unfair. So you kind of have to give the  
20 Staff some direction.

21 MR. PARDO: Which includes -- something  
22 that Trump said, as I was saying, Number One,  
23 that the Staff study the ability of also adding  
24 existing buildings that are found to be  
25 non-compliant with the proposed ordinance.

1 MS. GARCIA: So finding those and bringing  
2 them to the Board or just giving an effective  
3 date and specifying them in the ordinance,  
4 because that can be done very easily?

5 MR. PARDO: I'm talking about existing  
6 buildings that have direct negative impact on  
7 residential areas.

8 CHAIRMAN AIZENSTAT: That's a very broad  
9 statement.

10 MR. BEHAR: Well, that's the thing, too.  
11 Where do you cross the line there?

12 MR. PARDO: The reason I say it is because,  
13 you know, I would think that Staff would want  
14 to talk to the City Attorney to see, you know,  
15 how that could be -- because there are things  
16 that can be included retroactively. It's done  
17 in Codes every single year, where things are  
18 found to be retroactive -- that can be included  
19 retroactively. For example, the grace period,  
20 that Mr. Koller brought up, that's one of the  
21 possible options, a grace period, to do that.

22 MR. KOLLER: Well, part of your  
23 recommendation, that the City Attorney's Office  
24 look at the viability and applying this to  
25 existing buildings. That could be part of your

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1 MR. PARDO: Right. And that's the thing,  
2 nowadays, of course, you can see, you know,  
3 what -- basically a rendering that looks almost  
4 like real life, based on the types of lights,  
5 et cetera, so the Board of Architects can see  
6 those night shots and see how the impact will  
7 be on that design when it's lit up at night,  
8 and specifically, also, upon surrounding areas.

9 MS. GARCIA: Right, which is happening now.  
10 So any large scale building that comes to the  
11 Board of Architects, they provide a night  
12 rendering.

13 MR. BEHAR: That's correct. In new  
14 projects, you have to comply to that.

15 MR. PARDO: New projects. And, also, it  
16 says here, "New lighting installation, on new  
17 or existing buildings." It's not a new  
18 project.

19 MR. BEHAR: Wait. New lighting  
20 installation, that's fine, but that's new, not  
21 going retroactive to what light -- and the Code  
22 says that you are not allowed to, you know,  
23 spill light into the other property already.

24 MR. PARDO: That's the other thing, you  
25 know, how are we going to enforce any of these

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1 recommendation.

2 MR. PARDO: That would be Number 2, to look  
3 into it, into the existing, and Number Two, to  
4 get an opinion from legal in the City to see  
5 the enforceability of it and how it could be  
6 done.

7 The second thing is, I think that the way  
8 that this is limiting the Board of Architects,  
9 I would like to have the Board of Architects'  
10 involvement in a specific approval of the  
11 lighting component of each building that comes  
12 in.

13 Number Three --

14 MS. GARCIA: Can I have clarification on  
15 Number Two again?

16 MR. PARDO: Number Two is involved with  
17 Number One, which is, you know, the retroactive  
18 enforcement of this on existing buildings.

19 MS. GARCIA: Yeah, but the Board of  
20 Architects involvement. So we discussed with  
21 the Board of Architects last Thursday or some  
22 other time, in the past, to kind of go through  
23 and get their feedback as far as what they want  
24 to see for lighting standards per the Zoning  
25 Code.

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1 -- how is Staff, Code Enforcement, going to  
2 enforce any of these requirements if they're  
3 not suited to do that?

4 MS. GARCIA: Right. So the foot-candle, we  
5 have a meter, a machine, a device, that we can  
6 measure the foot-candle and see what the  
7 spillage is for the abutting adjacent neighbor.  
8 That's another tool that we have.

9 MR. PARDO: Let's say, okay, an example, a  
10 building that's lit up at night, and you can  
11 see it from 57th Avenue to Ponce. How do you  
12 take that light level, you know, foot-candle  
13 reading? You're not going to get a foot-candle  
14 reading off --

15 MS. GARCIA: Right. Which is an issue with  
16 the lumens and not the foot-candles, right.

17 CHAIRMAN AIZENSTAT: That's what she was  
18 talking about.

19 MR. PARDO: Right, but what I'm saying is  
20 the enforceability. If you say, we're going to  
21 have a speed limit of 25 miles an hour in the  
22 City and you don't have police officers giving  
23 tickets, there's no enforceability. So that is  
24 a third point, that you have to be able to have  
25 that enforceability. How are you going to do

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1 it? It's not described here.

2 CHAIRMAN AIZENSTAT: It's 8:54. What I'd  
3 like to do is ask if anybody -- if we extend  
4 this meeting? Right now, unless we go on to it  
5 -- I mean, E-4 is going to take a little bit of  
6 time, also.

7 MR. BEHAR: No, I think E-4 should be for  
8 the next meeting. Otherwise, that could take  
9 another hour, and I don't think we should take  
10 it on. I think we extend this for another  
11 maybe ten minutes.

12 CHAIRMAN AIZENSTAT: Let's do fifteen  
13 minutes, because we have to discuss a date for  
14 the next meeting also.

15 MS. GARCIA: Yeah. So going back to  
16 enforceability.

17 MR. BEHAR: I can make a motion to extend  
18 until 9:15.

19 CHAIRMAN AIZENSTAT: We have a motion until  
20 9:15.

21 MS. KAWALERSKI: Second.

22 CHAIRMAN AIZENSTAT: Second. Every in  
23 favor say aye.

24 (All Board Members voted aye.)

25 CHAIRMAN AIZENSTAT: Anybody against? No?

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1 Continue, please.

2 MS. GARCIA: So the enforceability of it,  
3 there are reports for (B) Number 1, reports of  
4 certified results of lighting tests or  
5 specifications of light fixtures may be  
6 required to confirm compliance. So that is  
7 addressed in here.

8 I agree that it's not something very easily  
9 enforceable, as far as lumens go, but there is  
10 a way to enforce it.

11 MR. PARDO: What section?

12 MS. GARCIA: Section 12-102, Residential  
13 Outdoor Lighting. For example, (B), Number 1,  
14 the second section --

15 MR. PARDO: Section 12-102?

16 MS. GARCIA: Yes. (B) Outdoor Lighting  
17 Standards, Residential, and, then Number 1  
18 talks about the number of Kelvin and then it  
19 says, "Reports of certified results of lighting  
20 tests or specifications of light fixtures may  
21 be required," and that's also addressed, Number  
22 4, the next subsection, where it's referring to  
23 non-residential outdoor lights, and also, (B),  
24 Number 4.

25 MR. PARDO: I'm sorry. One of the things

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1 that I would suggest, that we have to do as  
2 architects is -- through our consultants,  
3 normally, is that, when we provide a certain  
4 amount of, you know, lighting level for the  
5 parking lot, we have the responsibility -- the  
6 owner of the property has the responsibility of  
7 providing a certification of these things,  
8 right.

9 So, in this particular case, don't you  
10 think it would be prudent to make sure that  
11 these things have to be provided in the form of  
12 a certification by the applicant? In other  
13 words, certifying that they complied with all  
14 of these provisions, after it's built, after  
15 it's installed, after it's functioning.

16 MS. GARCIA: Right. So is that sentence  
17 the same, "Reports of certified results of  
18 lighting tests or specifications of light  
19 fixtures"?

20 MR. PARDO: There is no place that it says  
21 that you must have a certification. Right now,  
22 the only continue certification you have, which  
23 is in the Dade County Code, is to provide that  
24 certification at the end of the of project,  
25 only for the level of lighting for that parking

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1 lot. That's it. There's nothing else. This  
2 is very different, and there should be  
3 something -- and I think the burden should be  
4 the developer --

5 MS. GARCIA: Property owner, of course.

6 MR. PARDO: -- to provide that  
7 certification from his consultant. So if they  
8 provide that, that takes a tremendous burden  
9 off of the City's, you know, strain, Code  
10 Enforcement resources.

11 MS. GARCIA: Right.

12 MR. PARDO: So that would be one of the  
13 suggestions that I would make in this ever  
14 extending motion.

15 CHAIRMAN AIZENSTAT: Very well said.

16 MR. WITHERS: Okay. I'll second that  
17 motion.

18 MR. PARDO: Mr. Chairman, I think that --  
19 with those four specific caveats, I think, if  
20 the Board Members would support that, I would  
21 feel much more comfortable than what we have  
22 right now.

23 MR. BEHAR: Just for clarification, is  
24 that -- in your motion, did it include  
25 retroactive, you know, projects already --

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1 MR. PARDO: Retroactive, as long as Legal  
2 says it's doable.  
3 CHAIRMAN AIZENSTAT: Well, I think we're  
4 giving direction to Jennifer to come back.  
5 MR. PARDO: Yes.  
6 CHAIRMAN AIZENSTAT: So I don't think it's  
7 a motion that it must be this.  
8 MR. PARDO: Right.  
9 CHAIRMAN AIZENSTAT: I think it's more so,  
10 this is what we're looking at, can you please  
11 come back with a more comprehensive solution.  
12 MS. GARCIA: Right, but what I hear is  
13 something that was addressed in the ordinance,  
14 as far as the effective date and how it's going  
15 to be addressed and what's legally permitted.  
16 Except for Number 4 about, I guess, clarifying  
17 the certified reports of lighting results and  
18 how it would be the burden of the property  
19 owner, obviously, not the Staff or the Code  
20 Enforcement Officer.  
21 MR. PARDO: For the certification.  
22 MS. GARCIA: Right.  
23 MR. PARDO: Right.  
24 MS. GARCIA: So we can clarify that.  
25 That's a change to what's proposed, the

1 legislation, but the first three seem like it's  
2 more addressed, as far as whereas clauses of  
3 the ordinance itself.  
4 MR. KOLLER: Sounds more like a motion to  
5 approve, as amended, those points that you  
6 made.  
7 MR. PARDO: That's correct.  
8 MR. COLLER: That was really not a direction to  
9 Staff. It's, you're approving the ordinance, as  
10 amended, with the amendments that you requested. Am I  
11 misunderstanding?  
12 MR. PARDO: No. That is a hundred percent  
13 correct.  
14 MR. KOLLER: Okay. That's a different  
15 motion.  
16 CHAIRMAN AIZENSTAT: I mean, to me, I  
17 couldn't support the retroactiveness giving --  
18 you said, with Legal being able to say you can  
19 do it. I don't see that for myself. I'm not  
20 saying that certain examples that were  
21 provided, without me stating what they are, are  
22 not bad, but I have an issue --  
23 MR. PARDO: Mr. Chairman, I'll strike that,  
24 you know, for the sake of, you know, moving  
25 this along. And the other thing is that, I

1 just have an issue of the balance of the  
2 building not being able to be uplift in a way  
3 that enhances the architecture.  
4 MR. BEHAR: Architecture.  
5 MR. PARDO: Correct.  
6 MR. KOLLER: So that would be an amendment,  
7 that the Board of Architects can consider the,  
8 I guess, lighting of the middle of the  
9 building --  
10 MR. BEHAR: The entire building.  
11 MR. PARDO: Yeah, the entire building.  
12 MR. KOLLER: Okay. The entire building, if  
13 it is --  
14 MR. BEHAR: If it is appropriate.  
15 MR. PARDO: Right. As long as it's  
16 appropriate.  
17 MR. BEHAR: Can somebody read exactly what  
18 we're going to be voting on?  
19 MS. GARCIA: All right. So how is that  
20 different from what's written right now,  
21 because right now it says, "Base top, unless  
22 approved by the Board of Architects"? You're  
23 just saying, the building can be lit with Board  
24 of Architects approval and don't specify where  
25 it should be focused on?

1 MR. BEHAR: My understanding, too, is the  
2 base and the top, but what about if --  
3 MS. GARCIA: They can approve the middle,  
4 as long as it's provided by the Board of  
5 Architects and consistent with the design,  
6 style and character of the building. That's  
7 allowed right now -- I'm sorry, as drafted  
8 today.  
9 MR. KOLLER: Okay. Just so I'm clear,  
10 Jennifer, the Board of Architects, if this were  
11 approved, would have the authority to light the  
12 entire building, if it's deemed to be  
13 appropriate to the situation, as determined by  
14 the Board of Architects? That's already in  
15 there.  
16 MS. GARCIA: Yes.  
17 MR. PARDO: Yeah. And one last thing, when  
18 we were talking about the types of light and  
19 the intensity, et cetera, the lights that are  
20 used at the Youth Center, Phillips Park and any  
21 other park, normally have -- are different than  
22 the lights that are being proposed for street  
23 lighting, et cetera. The type of light,  
24 intensity, all of those things are completely  
25 exempt, and I think that parks -- I mean, I've

1 designed award winning parks, that have  
2 lighting that have different functions, from  
3 soccer, to basketball, to tennis, to baseball.  
4 You have 90 foot-candles on a pitcher's mound  
5 for hard pitched baseball.

6 MS. GARCIA: Yeah. So when you're  
7 referring to the Youth Center, I thought you  
8 were referring to the building and how the  
9 building is being lit, as far as landscape, and  
10 not the actual field lights.

11 MR. PARDO: Right.

12 MS. GARCIA: So that is addressed. We can  
13 clarify that. That's in bumper Number 3, and  
14 A, under 12-102. It talks about outdoor light  
15 features required by the Federal, State and  
16 County agencies, you know, for -- we can  
17 clarify that.

18 MR. PARDO: I just want to make sure that  
19 there isn't confusion later on, because those  
20 are specific lights that are designed  
21 specifically for that type of --

22 MS. GARCIA: Understood. Yeah. Yeah, we  
23 can clarify that. That's doable.

24 MR. PARDO: That's it.

25 MR. BEHAR: So, to understand, and I

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1 apologize, you're not doing anything with  
2 retroactive?

3 MR. PARDO: No. I took that out.

4 CHAIRMAN AIZENSTAT: You took that out?

5 MR. PARDO: Right.

6 CHAIRMAN AIZENSTAT: And we're going to go  
7 ahead and allow the Board of Architects to make  
8 the determination on any of the section of the  
9 commercial building, in between, that needs to  
10 be lit?

11 MR. PARDO: Correct.

12 CHAIRMAN AIZENSTAT: Okay.

13 MR. KOLLER: So we have a motion. We need  
14 a second.

15 CHAIRMAN AIZENSTAT: Is there --

16 THE SECRETARY: I thought Mr. Withers  
17 seconded it.

18 MR. WITHERS: Yes, I did.

19 CHAIRMAN AIZENSTAT: Okay.

20 MR. WITHERS: I did, once he removed the  
21 retroactive.

22 CHAIRMAN AIZENSTAT: Any other discussion?

23 MR. SALMAN: The motion is to send it back  
24 to --

25 MR. KOLLER: No, to approve it as amended.

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1 MR. BEHAR: I'm confused, too.

2 MR. SALMAN: I wanted to make sure.

3 MR. BEHAR: Just call the roll.

4 THE SECRETARY: Felix Pardo?

5 MR. PARDO: Yes.

6 THE SECRETARY: Javier Salman?

7 MR. SALMAN: No.

8 THE SECRETARY: Chip Withers?

9 MR. WITHERS: Yes.

10 THE SECRETARY: Robert Behar?

11 MR. BEHAR: Yes.

12 THE SECRETARY: Julio Grabiell?

13 MR. GRABIEL: Yes.

14 THE SECRETARY: Sue Kawalerski?

15 MS. KAWALERSKI: Yes.

16 THE SECRETARY: Eibi Aizenstat?

17 CHAIRMAN AIZENSTAT: Yes. Thank you.

18 MR. BEHAR: Can I make a motion --

19 CHAIRMAN AIZENSTAT: No.

20 MR. KOLLER: We have to settle a couple of  
21 things first.

22 CHAIRMAN AIZENSTAT: If I may, for Item E-4  
23 first --

24 MR. BEHAR: That's the motion I was going  
25 to make.

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1 CHAIRMAN AIZENSTAT: Oh, I thought it was a  
2 motion to adjourn.

3 MR. BEHAR: I want to make the motion that  
4 we put that item for the next available  
5 meeting.

6 CHAIRMAN AIZENSTAT: We have a motion. Is  
7 there a second?

8 MS. KAWALERSKI: Second.

9 MR. GRABIEL: Second.

10 MR. SALMAN: Second.

11 CHAIRMAN AIZENSTAT: Everybody seconds.

12 MR. KOLLER: We can voice vote.

13 CHAIRMAN AIZENSTAT: Everybody in favor say  
14 aye.

15 (All Board Members voted aye.)

16 CHAIRMAN AIZENSTAT: Any against?

17 The next item of business is, we have to  
18 move our meeting, and the only dates that are  
19 available for our meeting in December is either  
20 the 17th, which is a Tuesday, or the 19th,  
21 which is a Thursday. There's no other option.  
22 So I'd like to find out if anybody has a  
23 conflict with any of those dates right at this  
24 point.

25 MR. PARDO: I'm sorry, Mr. Chairman,

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