

<p style="text-align: right;">Page 1</p> <p>1 CITY OF CORAL GABLES 2 PLANNING AND ZONING BOARD MEETING 3 VERBATIM TRANSCRIPT 4 CORAL GABLES CITY COMMISSION CHAMBERS 5 405 BILTMORE WAY, CORAL GABLES, FLORIDA 6 TUESDAY, NOVEMBER 30, 2010, 6:10 P.M.</p> <p>7 Board Members Present: 8 Eibi Aizenstat, Vice-Chairman 9 Jack Coe 10 Jeffrey Flanagan 11 Pat Keon 12 Javier Salman</p> <p>13 City Staff: 14 Eric Riel, Jr., Planning Director 15 Jill Menendez, Administrative Assistant 16 Glenn Kephart, Public Works Director</p> <p>17 Also Participating: 18 Janet Gavarrete, Associate Vice President of Campus 19 Planning and Development, University of Miami 20 Jeffrey S. Bass, Esq., 21 Shubin & Bass 22 On behalf of the University of Miami.</p> <p>23 William J. Hartnett</p> <p>24 ---</p> <p>25</p>	<p style="text-align: right;">Page 3</p> <p>1 MR. COE: -- the minutes of the meeting 2 VICE-CHAIRMAN AIZENSTAT: First and second. 3 Will you call the roll, please? 4 MS. MENENDEZ: Jack Coe? 5 MR. COE: Yes. 6 MS. MENENDEZ: Jeff Flanagan? 7 MR. FLANAGAN: Yes. 8 MS. MENENDEZ: Pat Keon? 9 MS. KEON: Yes. 10 MS. MENENDEZ: Javier Salman? 11 MR. SALMAN: Yes. 12 MS. MENENDEZ: Eibi Aizenstat? 13 VICE-CHAIRMAN AIZENSTAT: Yes. 14 Anybody that is going to be speaking 15 tonight, if they could please go up to the desk 16 and sign in. To my understanding, I think we 17 only have one speaker that is signed up right 18 now. 19 Is that correct? 20 MS. MENENDEZ: Yes. 21 VICE-CHAIRMAN AIZENSTAT: Okay. 22 We're going to hear now Application Number 23 09-10-120-P, which is the University of Miami, 24 Abandonment and Vacation of Non-interests -- of 25 Non-Fee Interests.</p>
<p style="text-align: right;">Page 2</p> <p>1 THEREUPON: 2 The following proceedings were had: 3 VICE-CHAIRMAN AIZENSTAT: Will you call the 4 roll, please? 5 MS. MENENDEZ: Eibi Aizenstat? 6 VICE-CHAIRMAN AIZENSTAT: Here. 7 MS. MENENDEZ: Robert Behar? 8 Jack Coe? 9 MR. COE: Here. 10 MS. MENENDEZ: Jeff Flanagan? 11 MR. FLANAGAN: Here. 12 MS. MENENDEZ: Pat Keon? 13 MS. KEON: Here. 14 MS. MENENDEZ: Javier Salman? 15 MR. SALMAN: Here. 16 MS. MENENDEZ: Tom Korge? 17 VICE-CHAIRMAN AIZENSTAT: Thank you. 18 On approval of the minutes, Jack, it shows 19 that you were excused. 20 MR. COE: Except I was here. 21 VICE-CHAIRMAN AIZENSTAT: Okay. 22 MR. COE: That needs to be corrected, to 23 show that I was here and voted on the agenda 24 items. Other than that correction, I move -- 25 MR. SALMAN: I'll second.</p>	<p style="text-align: right;">Page 4</p> <p>1 An ordinance of the City Commission of 2 Coral Gables, pursuant to Zoning Article 3, 3 Division 12, Abandonment and Vacations, 4 providing for the abandonment and vacation of 5 non-fee interests of the City for the following 6 public rights-of-way, which are identified as: 7 Theodore Dickinson Drive, William E. Walsh 8 Avenue, George E. Merrick Street, Henry King 9 Stanford Drive, Pavia Street, and Levante 10 Avenue, all within the University of Miami 11 Campus, Coral Gables, Florida, providing for 12 severability, repealer, codification, and an 13 effective date. 14 First we'll go ahead and have the City 15 presentation. 16 MR. RIEL: Thank you, Mr. Chair. 17 Just for a matter of record, this item was 18 continued from the November 3rd meeting. 19 The application before you this evening, 20 the abandonment and vacation, requires adoption 21 in ordinance form, which basically has to go on 22 a recommendation by the Planning Board and then 23 before the Commission at two public hearings. 24 Your evaluation this evening, as well as 25 Staff's, is pursuant to the Zoning Code, which</p>

<p style="text-align: right;">Page 5</p> <p>1 has very specific standards and criteria.</p> <p>2 Review and recommendation is also required</p> <p>3 by the Public Works Department, as well as the</p> <p>4 Development Review Committee. The DRC, the</p> <p>5 Development Review Committee, met on November</p> <p>6 19th, and both the Public Works Department and</p> <p>7 the DRC had no objections to the application.</p> <p>8 There were conditions that were requested as a</p> <p>9 part of the DRC, and those are included in</p> <p>10 Staff's recommendation.</p> <p>11 The Staff Report does include findings of</p> <p>12 fact, where we evaluated the Zoning Code</p> <p>13 criteria. We found that the request for</p> <p>14 abandonment and vacation was in compliance.</p> <p>15 You'll note those findings of fact noted at the</p> <p>16 end of the Staff Report. And also, Staff did</p> <p>17 send out notices within 1,500 feet of the</p> <p>18 entire University property.</p> <p>19 For a matter of record, the location map</p> <p>20 indicating the rights-of-ways to be vacated is</p> <p>21 included as Exhibit A in the applicant's</p> <p>22 submittal package. The utility company letters</p> <p>23 were also included, where they had raised no</p> <p>24 objection. The Public Works Department and</p> <p>25 Development Review Committee report and minutes</p>	<p style="text-align: right;">Page 7</p> <p>1 VICE-CHAIRMAN AIZENSTAT: Thank you.</p> <p>2 MR. SALMAN: All right, thank you.</p> <p>3 VICE-CHAIRMAN AIZENSTAT: If we could hear</p> <p>4 now from the applicant, please.</p> <p>5 MS. GAVARRETE: Good evening. My name is</p> <p>6 Janet Gavarrete. I'm with the University of</p> <p>7 Miami, and there is really not very much more</p> <p>8 that we can add to what the Planning Department</p> <p>9 has reflected in their Staff Report to you. We</p> <p>10 are in agreement with the conditions of</p> <p>11 approval. We have granted easements to all of</p> <p>12 the utility companies, and we will comply with</p> <p>13 the conditions of approval in a timely fashion.</p> <p>14 So we really don't have anything to say today.</p> <p>15 VICE-CHAIRMAN AIZENSTAT: I think that's</p> <p>16 the shortest presentation you make.</p> <p>17 MS. GAVARRETE: I know. I know. I know.</p> <p>18 But I'm happy to answer any questions.</p> <p>19 VICE-CHAIRMAN AIZENSTAT: Any questions</p> <p>20 from the Board --</p> <p>21 MS. KEON: I have --</p> <p>22 VICE-CHAIRMAN AIZENSTAT: -- to the</p> <p>23 applicant?</p> <p>24 MS. KEON: Oh. No, I have a question for</p> <p>25 Staff.</p>
<p style="text-align: right;">Page 6</p> <p>1 are included, as well as public comments.</p> <p>2 That concludes Staff's presentation. If</p> <p>3 you have any questions, I'd be happy to answer</p> <p>4 those, or we can just go ahead and have the</p> <p>5 applicant --</p> <p>6 VICE-CHAIRMAN AIZENSTAT: Let's go ahead,</p> <p>7 if it's okay with everybody, and hear the</p> <p>8 applicant, unless anybody has any comments at</p> <p>9 this time.</p> <p>10 MR. SALMAN: Well, I just have one comment.</p> <p>11 I noted that the Miami-Dade County Public --</p> <p>12 Miami-Dade County Water and Sewer Department</p> <p>13 requested that a permanent utility easement be</p> <p>14 granted as a condition of their non-objection.</p> <p>15 MR. RIEL: That's correct.</p> <p>16 MR. SALMAN: Okay. Are there any other</p> <p>17 conditions that we should know about?</p> <p>18 MR. RIEL: Yes. Basically, the</p> <p>19 recommendation -- Staff does recommend</p> <p>20 approval, and if you look on Page 1 and 2 of</p> <p>21 the Staff Report, there's eight conditions that</p> <p>22 were provided by the departments as a part of</p> <p>23 the DRC review, as well as Public Works, as</p> <p>24 well as any -- the condition you mentioned from</p> <p>25 the outside utilities.</p>	<p style="text-align: right;">Page 8</p> <p>1 VICE-CHAIRMAN AIZENSTAT: Why don't we go</p> <p>2 ahead and maybe open it up -- If you're done,</p> <p>3 let's open it up for public comment, and then</p> <p>4 we can ask our questions.</p> <p>5 Jill --</p> <p>6 MR. COE: Eibi, is your microphone working?</p> <p>7 VICE-CHAIRMAN AIZENSTAT: If mine is?</p> <p>8 MR. COE: I don't think it's working -- oh,</p> <p>9 now --</p> <p>10 VICE-CHAIRMAN AIZENSTAT: Okay.</p> <p>11 MR. COE: Now it's working.</p> <p>12 VICE-CHAIRMAN AIZENSTAT: Okay.</p> <p>13 Jill, if you could call the public</p> <p>14 comments.</p> <p>15 MS. MENENDEZ: William Hartnett.</p> <p>16 MR. HARTNETT: Gentlemen, ladies, my name</p> <p>17 is William Hartnett.</p> <p>18 VICE-CHAIRMAN AIZENSTAT: Could you --</p> <p>19 MR. HARTNETT: My name is William J.</p> <p>20 Hartnett. I live at 4950 Campo Sano Court.</p> <p>21 I object to this transfer, for the</p> <p>22 following reasons. One, in 1955, the transfer</p> <p>23 was made on what -- if you look on your Exhibit</p> <p>24 A, part of Miller -- all of Miller Road from</p> <p>25 the west side of the campus to Ponce de Leon</p>

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<p>1 Boulevard, on the condition that the University 2 build an interior road. That's been 55 years 3 ago. There's been design and design programs 4 made by the University of Miami in 1975, and to 5 date, that road still has not been built. The 6 exits and entrances to the campus on Campo Sano 7 need to be closed, and would be closed if you 8 built the interior road, to the safety of the 9 students and the employees and the citizens of 10 Coral Gables.</p> <p>11 The conditions should be added that this 12 property transfer should not take place until 13 such time as the interior road is completed, 14 and I believe there's a duplication of 15 transfer, because you're showing Stanford Drive 16 as being part of this dedication, and it was 17 previously dedicated in 1955, or abandoned by 18 the City of Coral Gables.</p> <p>19 So I think there's a couple legal problems, 20 in addition to the -- They had previous legal 21 problems on Miller Road and they caved in 22 because the University built on the 23 right-of-way before it was dedicated. So I 24 would ask you to put as an additional condition 25 that the interior road be built that's been</p>	<p>1 answer period, and it's one that's important to 2 me as one the neighbors in the area.</p> <p>3 Likewise, I was not aware that Stanford 4 Drive had already been transferred in 1955. So 5 we may have a legal issue. We don't have 6 benefit of legal counsel today. So thank you 7 very much for your participation here today.</p> <p>8 MR. HARTNETT: You're welcome.</p> <p>9 VICE-CHAIRMAN AIZENSTAT: Any other 10 speakers?</p> <p>11 MS. MENENDEZ: No.</p> <p>12 VICE-CHAIRMAN AIZENSTAT: None?</p> <p>13 Okay, having no other speakers, let's go 14 ahead and close the public comments.</p> <p>15 Discussion of the Board. Javier?</p> <p>16 MR. SALMAN: I had a couple issues, some of 17 which have been addressed with the conditions, 18 when we came in here, but in addition to those 19 issues, I want to make sure that the final 20 package includes surveys and the legal 21 descriptions for each of these right-of-ways, 22 which I'm sure you have available, mainly 23 because there's a possible confusion, and I 24 want to make sure that everybody understands 25 that the Levante that we're talking about is</p>
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<p>1 promised and promised and promised, before any 2 transfer of this property occurs. Thank you.</p> <p>3 VICE-CHAIRMAN AIZENSTAT: Can I ask you -- 4 Sir, can I ask you a question? That public -- 5 Sir --</p> <p>6 MR. SALMAN: Bill, Bill -- Get back.</p> <p>7 VICE-CHAIRMAN AIZENSTAT: That public road 8 that you're speaking about is supposed to be 9 from where to where?</p> <p>10 MR. HARTNETT: Pardon?</p> <p>11 MS. KEON: It's Miller.</p> <p>12 MR. SALMAN: To Miller Road.</p> <p>13 MS. KEON: It was the extension of Miller 14 Road.</p> <p>15 MR. SALMAN: It was the extension of Miller 16 Drive through the University.</p> <p>17 MS. KEON: Through the University to Ponce.</p> <p>18 VICE-CHAIRMAN AIZENSTAT: Okay.</p> <p>19 MR. SALMAN: And first of all, Bill, thank 20 you for your time. Certainly, you know very 21 well a lot of the issues having to do with the 22 University of Miami, and we will look into 23 those two issues. With regards to the loop 24 road, that's a question I wanted to ask the 25 University, when we get into the question and</p>	<p>1 the Levante that is internally inside the 2 University Campus, not the Levante that 3 connects from Campo Sano -- or rather, San 4 Amaro to 57th Avenue, which is very highly 5 trafficked and very much a part of the public 6 streetscape.</p> <p>7 You all know, as members of the Board, my 8 objections in the past to this issue, having to 9 do with connectivity in and through the 10 University. However, I understand that this is 11 also the continuation of a larger-scale 12 agreement that this Board also approved 13 previously, having to do with the creation of a 14 special zoning district for the University of 15 Miami, which encompassed all of the UMCAD 16 requirements.</p> <p>17 However, Mr. Hartnett brings up a series of 18 issues which I think require resolution and 19 certainly being addressed by Staff prior to it 20 moving forward to the Commission, and as long 21 as those conditions are clarified with regards 22 to previous transfers, and finally the creation 23 of an internal circulation plan, even if it's 24 not the loop road, an internal circulation plan 25 should be -- should be part of this agreement,</p>

1 I think, because it's only fair to the
2 neighbors who have to live with the external
3 circulation.

4 I want to say here for the record that the
5 University of Miami actually paid for the
6 improvements of San Amaro/Campo Sano Drive,
7 around the University, I'm well aware of that,
8 and did a nice job of it. But it doesn't
9 replace the need for internal circulation
10 within the University. And those are my
11 comments.

12 VICE-CHAIRMAN AIZENSTAT: Thank you.
13 Pat?

14 MS. KEON: I have a question with regard
15 to -- all right, so, I mean, I'm sure Stanford
16 Drive and those other roads are -- will be
17 maintained as entrances and exits and whatever,
18 so the City will no longer be responsible for
19 any of the care, maintenance, paving or
20 anything on any of these roads; is that right?

21 MR. RIEL: Correct.

22 MS. KEON: Okay. The issue with regard to
23 the ring road, do you want to address that,
24 Eric?

25 MR. RIEL: Well, the internal road and

1 was approved and then went to the Commission
2 and was ratified, but it was in the prior
3 agreement, and it's a shame that we -- we -- we
4 didn't do that, because that internal road
5 should have been constructed before development
6 was allowed to progress. But it's my
7 understanding that under the agreement that was
8 approved by the Commission, that is not a
9 requirement of development, and that's what
10 we're subject to with regard to development; is
11 that right?

12 MR. RIEL: Well, there's certain -- there's
13 certain parameters. There's certain portions
14 that need to be completed by a particular date,
15 and then there's issuance of building permits
16 in certain locations that trigger the Phase 1,
17 and then there's an issuance of certain
18 amendments, as well. So it's broken down into
19 three different categories, whichever occurs
20 first, for each of the Phase 1 and Phase 2 of
21 the roadway. So that's basically the way it
22 was approved.

23 MS. KEON: Thank you.

24 VICE-CHAIRMAN AIZENSTAT: Jeffrey, do you
25 have a comment?

1 access, that was part of the development
2 agreement, which this Board did review, and the
3 Commission did review, as well, and that
4 agreement was ratified and approved, or
5 actually was ratified on September 28th.

6 MS. KEON: Right.

7 MR. RIEL: So that issue regarding the
8 timing of that placement of the road was
9 discussed at that time.

10 MR. SALMAN: Can you --

11 MS. KEON: We -- Let me -- you know, and I
12 think -- I feel very badly about it, because at
13 the meeting where that was discussed, we had
14 said that part of the -- when the UMCAD was
15 approved, when Cristina was on this Board, that
16 was a condition of development. It was a
17 condition of development. And when the new
18 plan came forward, Mr. Siemon was here and
19 presented the new development agreement, that
20 was not part of the development agreement, and
21 we had the discussion that night, that that was
22 not part of the agreement, and it was part of a
23 prior agreement, and it had been dropped, and
24 at that time, we didn't address it. And so it
25 was dropped in the development agreement that

1 MR. FLANAGAN: Other than what I read about
2 maybe some safety concerns or security
3 management purposes, what is the underlying
4 genesis of vacating these streets?

5 MS. GAVARRETE: I would tend to say that it
6 goes back to many, many, many years. There's
7 been a gradual vacation of streets throughout
8 time, of streets, specifically, that are within
9 the campus boundaries, not others, and so those
10 started many years ago, and this is the last
11 portion of it. It's one contiguous piece of
12 property, and the way that you access it and
13 how you move around in it is really very much
14 tied to the one parcel. There's no through
15 traffic, no benefit to anyone else in terms of
16 financial benefit for the City maintaining it.

17 So it's been happening for many years, you
18 know. There were public streets through these
19 tracts. So this is continued development of
20 the University Campus, and so that's the answer
21 to that.

22 I can clarify the issue on the internal
23 road, if you wish. The internal road is
24 required to be done by the University, and it
25 is indeed -- continues to be tied to the

1 projects that were identified in 2006. So that
2 has not been changed. At that time, that was
3 before the economy tanked and everything else.
4 You know, everyone was happy to move along and
5 do all these projects, and so it was well
6 understood and agreed to that we would do the
7 road, because we were going to do the projects,
8 and obviously, that was a greater impact and so
9 on. But we didn't move forward with the
10 projects, and things have been rougher for a
11 lot more people, and so we asked that the
12 delivery dates for the road be extended into
13 the future, and so Phase 1 gets -- must be
14 completed now by 2015, and Phase 2 by 2017.
15 But should we move forward with any of the
16 projects that were tied to either phase, we
17 must have the road completed. So there's no
18 loss of the intent. There's a delay in terms
19 of timing, mostly due to the economy, really,
20 so --

21 MS. KEON: It's tied to permitting; is that
22 correct?

23 MS. GAVARRETE: It is.

24 MS. KEON: It's tied to permitting.

25 MS. GAVARRETE: Yes.

1 MR. SALMAN: So, basically, you're tied to
2 permitting for development, with a backstop of
3 a date certain.

4 MS. GAVARRETE: Exactly.

5 MR. SALMAN: Okay.

6 MS. GAVARRETE: You still maintain the date
7 certain. So you have certainty, and if we need
8 to move forward with a project, then -- you
9 know, then we need to move up the date of the
10 respective phase that's tied to it.

11 MR. SALMAN: And Ms. Gavarrete, just for
12 clarification, the Arboretum will not be
13 affected in any way with this ring road?

14 MS. GAVARRETE: Well, now --

15 VICE-CHAIRMAN AIZENSTAT: Excuse me?

16 MS. GAVARRETE: The Arboretum -- One of the
17 things that we want to do is, we want to use
18 this time that -- of delay, to work within our
19 own -- with our own constituency and with our
20 own delivery of a mobility plan, to address how
21 we're going to make that connection. That is
22 consistent with the mandate of the City.

23 MR. SALMAN: Okay.

24 MS. GAVARRETE: That's as best as I can put
25 it. We have to put a lot of things to work and

1 in motion, moving forward, and that's what
2 we'll be doing. We have met with all of the
3 Arboretum representatives just recently and
4 laid out a plan of action for the next -- first
5 quarter of the next year, to discuss with them
6 what their plans are, how and if and when the
7 road would impact them.

8 MR. SALMAN: That's one of your unique
9 attributes of your site.

10 MS. GAVARRETE: Right, but, you know, we
11 have two competing --

12 MR. SALMAN: And we have conflicting
13 interests here -- right.

14 MS. GAVARRETE: -- situations here. We
15 have one that says, "Leave those trees," and we
16 have one that says, "Make that connection."
17 So, you know, we've got to be really good, at
18 the next quarter, of engaging us in the most
19 positive way, and that's as honest as I can be.
20 I mean, that's where we are.

21 MR. COE: So the University -- so the
22 University is not clear --

23 MS. GAVARRETE: No, we're very clear.

24 MR. COE: -- what it's going to do?

25 MS. GAVARRETE: We're very clear about that

1 we're going to have a process to discuss how
2 best we can bring to fruition the mandates of
3 both, you know, keep an Arboretum and keep a
4 road.

5 MR. COE: So you're now saying it will have
6 no impact on the Arboretum? That's what you're
7 saying?

8 MS. GAVARRETE: I'm not saying that. I'm
9 saying, we are going to have a process to
10 dialogue and see how we're going to accommodate
11 both things, that -- how we can accommodate a
12 connection that still minimizes or does not
13 impact the Arboretum. There may be other
14 options. We don't -- We looked at them before.
15 We will share that information with the
16 Arboretum folks.

17 MR. COE: So, as you and your attorney
18 stand in front of this Board tonight, you don't
19 know the answer to that, then?

20 MR. BASS: Let me see if I may -- It's so
21 hard to be in front of you all and not say
22 anything.

23 Jeffrey Bass. 46 Southwest 1st Street is
24 my address. Let me see if I can clarify the
25 question, Your Honor.

1 As we sit here today, there is no change to
2 the obligation imposed upon us by the
3 development agreement, which is the obligation
4 that Ms. Gavarrete just testified. The
5 question from Mr. Salman about whether or not
6 we're going to impact the Arboretum, well,
7 regrettably, the scope of the road, as ordained
8 by the agreement, will impact the Arboretum.
9 That is the situation as we stand before you
10 today, and that was the situation as we stood
11 before you and the City Commission during the
12 approval process.

13 Now, we are at the horns of a dilemma,
14 which Ms. Gavarrete outlined, and I didn't do a
15 lot of physics, but I do recall that two
16 objects cannot occupy the same place at the
17 same time, and we have two opposing forces, two
18 very disparate constituencies who are arguing
19 two sides, with passion, of the issue of the
20 Arboretum versus the issue of the road. We
21 have the delay that we've asked for and
22 received due to the turn -- the unforeseeable
23 turn in the economy from the time when the
24 obligation to build the road was first imposed
25 to present, and we hope to use that time

1 productively to dialogue between these two
2 constituencies, to see if there is an
3 alternative that would be acceptable to the
4 pro-Arboretum people, the pro-road people, and
5 most importantly, to the City Commission, to
6 see if there's a way out of the box. We're
7 like the guy who's standing with the gun to our
8 head, pointed from both directions, but it's a
9 long way to answer your question, is, there is
10 no change right now that we're asking from you
11 in connection with this as relates to the scope
12 of the road for the Arboretum.

13 MR. SALMAN: That's it for me.

14 MR. FLANAGAN: Can I just --

15 VICE-CHAIRMAN AIZENSTAT: I'm sorry?

16 MR. FLANAGAN: Fundamentally, I don't have
17 a problem with the roads being vacated and
18 abandoned, but I continue to be hung up on
19 traffic concerns down in that area, and I know
20 that these serve internal circulation purposes,
21 but you have multiple access points on Ponce de
22 Leon which, from my -- in my amateur opinion, I
23 think is important, with the various activities
24 that occur on campus, and which at this point
25 will occur at some point in the future under

1 the revised Zoning Code, with all those uses
2 that are allowed now as a matter of right.

3 Are these going to be maintained for
4 vehicular movement in the campus? Are all
5 these access points planned to remain as is?

6 MS. GAVARRETE: At present, yes, and if
7 there are any changes, as with any change to a
8 Master Plan, there is a process for going
9 forward and having them assessed and approved
10 and, you know, with the appropriate
11 documentation and the regional traffic studies.
12 There's specific traffic studies. So the
13 responsibility is always there.

14 MR. RIEL: I think it's also important to
15 note that, you know, for the purposes of law
16 enforcement, fire and Life Safety Code, and
17 Code Enforcement, that, you know, that still
18 will remain, and that is a condition, is
19 actually in the development agreement, as well
20 as a condition in here, so I just want to make
21 sure the record reflects that.

22 MR. SALMAN: You know, we're treating this
23 almost as a planned unit development, and we
24 need to have all the life safety issues
25 addressed, as per their mobility plan, which

1 needs to be addressed, as well. But I guess
2 you need to solve that ring road situation
3 first.

4 VICE-CHAIRMAN AIZENSTAT: Eric, what
5 about -- Has the legal department for the City
6 gone ahead and taken a look at this and
7 commented on it?

8 MR. RIEL: In terms of what capacity?

9 VICE-CHAIRMAN AIZENSTAT: The vacating of
10 the roads, and actually, more specifically,
11 what was brought up with Mr. Harland (sic) from
12 1959 (sic).

13 MR. SALMAN: Hartnett.

14 VICE-CHAIRMAN AIZENSTAT: Hartnett.

15 MR. RIEL: I mean, in terms of -- I don't
16 know if that's appropriate for the legal
17 department. I mean, that, I'm assuming a title
18 search was done, in terms of who had actual
19 ownership of the property. We can certainly
20 reclarify that with the University between now
21 and when it goes to the Commission, but in
22 terms of the legal department --

23 VICE-CHAIRMAN AIZENSTAT: No? Is there
24 anything that this Board can do to make sure
25 that that's not bypassed or looked at and --

1 MR. SALMAN: You can put it as a condition
2 of approval.

3 MR. RIEL: I'm not sure. Let me ask -- Let
4 me ask Glenn -- Glenn Kephart, our Public Works
5 Director.

6 As a part of the review, did you all
7 look --

8 VICE-CHAIRMAN AIZENSTAT: Can you come up
9 here, please? Thank you.

10 MR. RIEL: I don't know if you've all met.
11 This is Glenn Kephart. He's the new Public
12 Works Director. I don't know if he's new
13 anymore. He's been here for a couple months.

14 MR. SALMAN: He's our new old Public Works
15 Director.

16 MR. RIEL: New old Public Works Director.

17 MR. KEPHART: Good evening.

18 VICE-CHAIRMAN AIZENSTAT: Good evening.

19 MR. RIEL: The question is, in terms of the
20 actual ownership issue --

21 MR. KEPHART: As far as I know, the
22 ownership is correct, but certainly we're going
23 to go back and we're going to check that again,
24 as I'm certain the University is, and if there
25 is a discrepancy, we will correct that prior to

1 VICE CHAIRMAN AIZENSTAT: Any other --

2 MR. SALMAN: Does the second accept?

3 MR. FLANAGAN: Yes.

4 VICE-CHAIRMAN AIZENSTAT: Okay, let's call
5 the roll, please.

6 MS. MENENDEZ: Jeff Flanagan?

7 MR. FLANAGAN: Yes.

8 MS. MENENDEZ: Pat Keon?

9 MS. KEON: Yes.

10 MS. MENENDEZ: Javier Salman?

11 MR. SALMAN: Yes.

12 MS. MENENDEZ: Jack Coe?

13 MR. COE: Yes.

14 MS. MENENDEZ: Eibi Aizenstat?

15 VICE-CHAIRMAN AIZENSTAT: Yes.

16 MR. RIEL: And just for the record, this
17 goes to the Commission on December 14th, for
18 first reading, and second reading January 11th.

19 MR. BASS: Thank you.

20 MS. GAVARRETE: Thank you very much.

21 VICE-CHAIRMAN AIZENSTAT: You're welcome.

22 MR. COE: Are we adjourned, Mr. Chairman?

23 VICE-CHAIRMAN AIZENSTAT: No, we have one
24 more item.

25 MS. KEON: No, we have another item.

1 going to the Commission.

2 MS. KEON: Is there a motion?

3 VICE-CHAIRMAN AIZENSTAT: Any other
4 questions? Is there a motion?

5 MS. KEON: I'll move it. I'll move to move
6 the item with the conditions of approval as set
7 forth by Staff.

8 MR. SALMAN: Would you --

9 MR. FLANAGAN: Second.

10 MR. SALMAN: Would you accept a friendly
11 amendment, and would the second accept a
12 friendly amendment, that they do a title search
13 and a Code -- and a Commission minute research
14 for that period of time, in 1955?

15 MS. KEON: I know that they're currently
16 doing a title research on all of those pieces
17 of property, because they can't turn them over
18 until the title has been cleared up.

19 MR. SALMAN: My concern is the following,
20 is that that conveyance was probably done
21 through a Commission item, and it just was not
22 acted upon.

23 MS. KEON: Okay. Yes, I will accept that
24 amendment.

25 MR. SALMAN: Okay.

1 MR. COE: What items do we have that I
2 don't see on here?

3 MR. FLANAGAN: I think the next item
4 was deferred.

5 MR. RIEL: No, Agenda Item 6 was --

6 MR. COE: Deleted, correct?

7 MR. RIEL: -- deferred. Right.

8 MR. COE: Yeah.

9 MS. KEON: Oh.

10 MR. COE: That's it.

11 VICE-CHAIRMAN AIZENSTAT: Oh, it was
12 deferred. I didn't see that.

13 MR. COE: There's no discussion items, are
14 there?

15 MS. KEON: No.

16 MR. RIEL: No.

17 MR. COE: Okay. That's it, then, right?

18 VICE-CHAIRMAN AIZENSTAT: Any new business?

19 MR. RIEL: Happy holidays.

20 VICE-CHAIRMAN AIZENSTAT: Our next meeting
21 is set for when?

22 MR. RIEL: Our next meeting is January
23 12th, I believe.

24 MR. COE: It's the normal sequence, Mr.
25 Riel?

MR. RIEL: The normal sequence, as of now,
yes.
MR. COE: Good. Very good. Thank you.
Happy holidays.
MR. RIEL: Thank you.
VICE-CHAIRMAN AIZENSTAT: This meeting is
adjourned.
(Thereupon, the meeting was adjourned at
6:37 p.m.)

CERTIFICATE

STATE OF FLORIDA:
SS.
COUNTY OF MIAMI-DADE:

I, JOAN L. BAILEY, Registered Diplomat
Reporter, Florida Professional Reporter, and a Notary
Public for the State of Florida at Large, do hereby
certify that I was authorized to and did
stenographically report the foregoing proceedings and
that the transcript is a true and complete record of my
stenographic notes.

DATED this 2nd day of December, 2010.

JOAN L. BAILEY, RDR, FPR

Notary Commission Number DD 64037
Expiration June 14, 2011.