

City of Coral Gables City Commission Meeting
Agenda Item G-3
August 27, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Attorney, Cristina Suárez
City Manager, Amos Rojas, Jr.
City Clerk, Billy Urquia
Arts & Culture Specialist, Catherine Cathers

Public Speaker(s)

Luis Riquezes, JQ Group
Maria Cruz
Sonia Virtle

Agenda Item G-3 [11:36 a.m.]

A Resolution of the City Commission approving the concept and commissioning of a work of public art by Alberto Cavalieri in conjunction with the JQ Group development project at 719 Biltmore Way, in fulfillment of the Art in Public Places requirement for public art in private development (unanimously recommended by the Arts Advisory Panel approval/denial vote: 7 to 0; unanimously recommended by the Cultural Development Board approval/denial vote: 6 to 0).

Mayor Lago: Moving onto item G-3.

City Attorney Suarez: G-3 is A Resolution of the City Commission approving the concept and commissioning of a work of public art by Alberto Cavalieri in conjunction with the JQ Group

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development project at 719 Biltmore Way, in fulfillment of the Art in Public Places requirement for public art in private development.

Cultural Art Specialist Cathers: Hello. If you can bring up the presentation for G-3, please.

City Clerk Urquia: If Cable TV could put up my screen.

Cultural Art Specialist Cathers: There we go. So, as the City Attorney mentioned, this is a request for waiver according to Section 9-103 of the City Code. 719 Biltmore Way is a project of JQ Group and has chosen the option of petitioning for a waiver of the Art in Public Places fee requirement by commissioning and installing artwork. The artwork has an appraised value equal to or greater than the amount of the Art in Public Places fee and is otherwise required as specified in the zoning code Article 9 Section 9-103(b). The developer is here today proposing the commissioning and installing of artwork by the artist Alberto Cavaliere. The Arts Advisory Panel and Cultural Development Board voted to recommend the proposed artwork at their respective meetings on September 6th and September 19, 2024. The developer is here today and will walk through the presentation about the artist and the proposed artwork.

Mayor Lago: Good morning, sir.

Mr. Riquezes: Good morning. First of all, thanks for having us here. It's an honor for us to present. I'm Luis Riquezes on behalf of the developer JQ Group. We're here to get a job approval on the waiver to provide this art in our future development located at 719 Biltmore Way. Just to give you some background. We used to have in that site twelve-unit rental building, and we purchased the property about two years ago. Even though we have by-right basic to do 20 units, we propose to do only 9 units. This is one unit per floor projects only a 12-story high building, condos for sale and along the process we decided to go ahead and apply for a waiver, and we hired the artist Alberto Cavaliere to propose this art piece that you see on the screen. We went through the Arts Advisory Panel first with a totally different sculpture. They had a lot of feedback to us, and we went back to the drawing board, and we voted to have what you see now on the screen. That we received an approval of 7 votes when we presented at the second go-around. After that we went to the Cultural Development Board, but they also unanimously approved the sculpture 6-0 and we are here at the last step of the process to get your approval on this art piece in front of our property that we intend to build as soon as we are able to pull the building permits. I'm open for any questions, suggestions that you may have.

Mayor Lago: Would you mind telling us a little bit about the artist, his background. Is he in any museums, collections. Just tell us a little bit about the artist.

Mr. Riquezes: Yes. Sure. The artist, his name is Alberto Cavaliere, he was already approved by the city previously for us to hire him. He has done some art throughout the City of Miami and Miami-

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Dade County. He has some recent art that he provided was in the City of Doral. He did a private collection in the City of Doral in front of a hotel over there. He has done quite a few exhibits at the city, but nothing that is being built as a permanent art at the city yet. He was born in Venezuela. He has done quite a few art pieces throughout the war, especially in Venezuela. Some of them are shown here on the screen. He intends to – his inspiration comes to show the metal pieces is twisted to show some flow with the wind into the metal piece. The one that he presented to us in our project is just like that. He tried to provide movement through the steel components and that’s what we have in our project. He intends to build this locally here in Miami and assembly the piece at the site. The sculptor itself is about 15 tall, 13 feet wide and is made up of galvanized steel. So, it requires low maintenance and it’s a very long, it would last a long time with low maintenance at the property.

Cultural Art Specialist Cathers: So just for further clarification. This is part of the presentation as well. We do like to review what that cost is. Right now, the cost of the proposed art piece and installation is estimated to be over \$220,000 and the artwork and all related expenses will be the responsibility of the developer. The developer is also required to provide for the perpetual maintenance of the artwork which will be memorialized in a covenant to run with the land and coronation of the maintenance shall be the responsibility of the developer and is not related to the art fund.

Mayor Lago: Any other questions, ideas.

Vice Mayor Anderson: I have a question. What outreach was done to the local community that lives on Biltmore Way?

Mr. Riquezes: Can you repeat the question Commissioner, sorry.

Vice Mayor Anderson: What outreach was done to the local community that lives on Biltmore Way.

Mr. Riquezes: Besides the art piece.

Vice Mayor Anderson: Concerning the art piece.

Mr. Riquezes: Oh, the feedback from the community. We haven’t heard anything against it. We went through these two previous commissions, committees, sorry, the Arts Advisory Panel and Cultural Development Board. We didn’t hear any pushback from the neighborhood in any of those meetings.

Vice Mayor Anderson: So, I’m going to repeat the question. What outreach was done to the community that is right there on Biltmore Way?

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Mr. Riquezes: Well, we intend to provide a few things that come to mind. In the backside we have overhead cables that we intend to at our own cost put them underground, that will benefit the community in that area. We also intend to – part of the design that we have is that we will match what is, the next adjacent building is called the Junior League, and the design is being mimicked into our project to continue the design that we have a long Biltmore Way.

Mayor Lago: I don't want to interrupt you, but the Vice Mayor was saying, did you speak to any of the – did you speak to the Junior League, did you show it to the residents next-door the design.

Mr. Riquezes: The design of the art piece – no. We have met with them many times about the project itself, but the design piece, no, we have not.

Mayor Lago: Can you come up here. Thank you. So, throughout the process was there any engagement at all with residents or anything?

Cultural Arts Specialist Cathers: Our staff would not do that.

Mayor Lago: Have you heard from residents, did they call you, did they say anything?

Cultural Arts Specialist Cathers: No, we have not heard anything from residents or anybody.

Mayor Lago: So, it went before the Arts Board and received a 7-0 vote.

Cultural Arts Specialist Cathers: It actually went to the Arts Panel a couple of times. So, the Arts Panel did provide some feedback on an initial proposal from the artist and then the artist responded to that which was immediately embraced, Mr. Guerrier could speak to that. And then it moved forward to the Cultural Board which had no misgivings about the piece.

Mayor Lago: Okay.

Vice Mayor Anderson: So, I'm going to give you some comments. It ties into with the prior two presentations about what art should do for the community and that is bring joy and bring the community together. This is a very special street and there are some very strong feelings in different directions about a metal piece of artwork that exist on Segovia and Biltmore Way, and I've received some comments back, not only on that piece, but on this piece here that is very negative. Okay. What they would like to see is something that brings the community together. Something that compliments the issues that exist on that street regarding heat, for instance. Things that come to mind to me, that would address that would be the type of garden where you also have a water feature, it has a cooling and calming effect on it, a commitment to plant trees on that street, so that people feel like they can walk to the site and enjoy the experience that they can have there in a much different environment that currently exist in front of the building. I appreciate the commitment of the developer to be maintaining the piece, because it is indeed on your property

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and it would become a very important selling point for your property, but I think something along the line that would benefit the community would be something that would be designed to compliment the existing problems that exist on the street and benefit everybody that want to go there, that want to go to the garden, they would want to go there and hear the water trickling in a design-type fountain that compliments the building. So those are my comments on this piece.

Commissioner Fernandez: I agree with the Vice Mayor. Just seeing the diagram, I'm concerned with the lack of green space that you have on the property to begin with. This is an area that has been struggling with green space and tree canopy and it seems like most of it is going to be paved. I saw that you are actually putting green space on our sidewalk, which I don't even think that's an option, but I have heard from the residents as well and they are concerned on this art piece and if we go back, I guess six or seven years, the flower feature was placed there on Segovia without resident input and it was probably one of the most controversial art pieces in South Florida. Still today, I have people asking me to remove it. So, I'm not comfortable moving this forward. I would like for there to at least be community meetings to get the input from the neighbors on what art piece is going to go there. Nothing against the artist or the artwork. I think its an incredible art piece. I just don't know if this is the location for it, but I would like to see resident input on this piece, and I agree with the Vice Mayor, something that can complement, add to the softening of this area, add to the green space in this area, is really more in tune with what we need than an art piece that really doesn't tie into the community. No pun intended since it is a knot. But I'm not sure that I'm ready today to say, this is an art piece that works here without input from the residents in that area. Every other art piece that you've seen come up here today has been coming to us with numerous meetings. The one with the Lola B, Walker Foundation, the artist and staff were out there the day that I was there walking in the rain going door-to-door to talk to the residents about what was actually going to be coming, and that was just one of the meetings that they had. They had numerous meetings. With the Garden Club that has gone through many different iterations and input from members of the community as to what's coming. So, the fact that this is coming before us today and basically there hasn't been any input just because of our community meeting, our city meetings, I don't think that that gives us an idea of where the residents in that area stand. I don't know if going forward, Madam City Attorney, we can request or require that artwork similar to this one has to go to a community meeting before it comes to Commission or before it goes to the boards.

City Attorney Suarez: We can research that, and we can see if – talk to staff and see if that's something that could be incorporated.

Commissioner Fernandez: Okay. Maybe we can put that on the second September agenda since we've put a few things on the first.

City Attorney Suarez: Sure. How about we meet with you in advance, and we flesh everything out and discuss it, because there is a distinction because this is on private property versus the ones that are on city property.

Commissioner Fernandez: Agreed. But it still requires a Commission approval and the input of the community I think is important to all of us up here.

Vice Mayor Anderson: Yes. So, I'm going to suggest too that while we're having these meetings that the Cultural Arts Board and staff that within a radius of where the artwork is going to be that the community be notified of it, so the input can be done at an earlier stage, because I can tell you firmly that something of this nature its metal, it's a hot location. There are many research studies that show that the effects of water flowing actually cools the environment. We can put that together with a very tasteful piece that compliments the building as well as the community and people want to gather there to be able to enjoy it, to be able to stop and sip a cold drink under the shade of some trees. That's one aspect I want to see. The other pieces that you had here, they had the site location. They had a Royal Poinciana tree where the first piece is going to be and it's a gathering area. The second piece as well. You have the art piece together with the garden itself, so there is an interaction between the environment and the art piece too. I'd like to see what we can do in a way of notice provisions for the surrounding community because we don't want to be choosing art from here, placing it in a community and then people say, oh my God, I can't believe you chose that.

Commissioner Fernandez: And another point to what you were saying. This is a very reflective material so when the sun starts shining that could be reflecting into somebody's apartment at some time during the day.

Vice Mayor Anderson: Exactly.

Commissioner Fernandez: Because of the angle that the art piece has. Do we have any requirement right now for notice on art before it comes before one of our panels?

Cultural Arts Specialist Cathers: There is not a requirement. However, if there is proposed artwork in a residential community, its something that we would certainly do. If its in a commercial, not necessarily, but for residential communities, yes, we would. Again, as the City Attorney had mentioned, since it is private development initiative being brought forward by them to have artwork on their private property, we don't get involved in that type of outreach. So, I'm happy to continue that conversation.

Commissioner Menendez: I want to add, and this isn't about that piece. Its just lately there's a trend to decisions that the Commission make is it going to be community driven. With regards to art as opposed to maybe something years ago that was Commission driven. And I think it's important to – well, you mentioned something about commercial and residential. Our downtown,

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our Central Business District nowadays, the way its evolving, its mixed use. You have commercial and residential, so I don't think we can specifically delineate this is a residential/commercial, because Biltmore Way, all the way into our core of downtown, we have office buildings, but we have residential. So, I'd like to see this notice apply not say yes to residential, not commercial, because people are living, that's what we want people to come to our downtown. So, I want to make sure that we cover everybody as we move forward as my colleagues have suggested.

Commissioner Castro: I really, really do like this art piece, I just think it's the wrong location.

Mr. Riquezes: I just have a couple of comments if I may address. The design that we had at the very beginning had no art whatsoever. It had only two plazas, east and west and they both have water fountains on it, and I think that goes along with what you were suggesting as a welcoming area with sitting benches and so forth. We could go back to that version of the drawings and present that to you and perhaps the...all together or just a smaller size...combine both options perhaps.

Mayor Lago: You can always just write a check to the art fund, which makes it a lot easier in the process and that's something that you can move forward.

Mr. Riquezes: And the other thing I wanted to address is, we have by code, we have ten-foot setback on Biltmore, we provided 20. The 20-foot provides more area of green space to allow those kinds of ideas to take place. So that's one of the things that we already took from the very beginning to have more separation from the street to the face of the building.

Mayor Lago: Its obvious you weren't putting grass on the sidewalk.

Mr. Riquezes: Yes.

Mayor Lago: Again, to me, let's defer the item, there's obviously not support for this here today and you can come back. This will not hinder you in moving forward with your project.

Mr. Riquezes: On that point, I want to ask a request if I may. This is the last item holding us for being able to pull a building permit. Can this be a request to be a TCO provision instead of a building permit or...

Mayor Lago: I don't have an issue with that. We've done that before.

Mr. Riquezes: Okay.

Mayor Lago: And again, if you think its too much of a cumbersome process, at the end of the day just speak with staff and Catherine can lead you in the direction of writing – a lot of people who come to this community to build they've written a check, it just makes it easier through the process. You can just give it to the art fund and that can be used for a lot of different things here.

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Mr. Riquezes: That's fine.

City Attorney Suarez: So, the Art in Public Places ordinance requires that the artwork either the waiver be granted or that the fee be paid prior to the issuance of the building permit. What we've done in other cases is, there's been payment into an escrow which I know staff does not favor, it does not prefer to have to manage that, but something else would have to be done.

Mayor Lago: I think there are two options here for you. You can either continue through the process or you can just write a check and be done with it, and you can move on.

Mr. Riquezes: Okay. Let me think about it in-house and we'll come back to you.

Mayor Lago: Think about how you'd like to attack it. Okay.

Mr. Riquezes: Alright.

Mayor Lago: Thank you very much.

Mr. Riquezes: Thank you for your time.

City Clerk Urquia: Mr. Mayor before you move forward, we have members of the public requesting to speak on that item.

Mayor Lago: Okay.

City Clerk Urquia: Mrs. Maria Cruz.

Mrs. Cruz: It is obviously a good day in Coral Gables. Maria Cruz, Mrs. Maria Cruz, 1447 Miller Road. It is a good day when I agree with the conversation. Somebody stole my thunder. I was going to remind people of the flowers. No need to do that, but I found September 26, 2023, agenda item G-1. I have to give credit to the Mayor because that day he said, in moving forward, this is a project with the lights. I don't know if you remember. He said, in moving forward, I think it was in the best interest of the developer, the residents, the Commission, the city is that you sit down with the City Manager and our staff and have a conversation moving forward on how you can get input from the community and address this. Again, I am going to defer the item, I think it's the best move moving forward and over the next few weeks you can have a conversation with staff and see how we can either move forward, address some of the concerns, meet with the residents, and see how we can find some sort of common ground, because I think that right now there's no support to move forward in regards to the artwork. Well said Mr. Mayor, that was very good.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: Sonia Virtle.

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Mayor Lago: Good morning by one minute.

Ms. Virtle: Good afternoon, I think.

Mayor Lago: We've got one minute. We've got one minute.

Ms. Virtle: Sonia Virtle, 730 Anastasia Avenue. I came for one thing, and I see that its leaning from one thing to another. I'm very glad to be here and I'm glad to hear that you are talking about Art in Public Places. Living on Anastasia, my way out into the city is Segovia and I have been looking at those flowers, please somebody remind me what year it was put up, I don't know.

Commissioner Fernandez: It was 2015.

Ms. Virtle: It was prior to any of you, I think sitting here in front of us. I know Mrs. Anderson maybe you will recall; I don't know what year.

Vice Mayor Anderson: It was definitely before I decided to run.

Ms. Virtle: Yes – exactly, any of you. However, having said that, Mr. Fernandez you said that people have approached you about those flowers. I really, initially I believed it was a sculpture in motion. I thought there was going to be water or something, that's why I said its not too bad of an idea, water and flowers, you know, instead of having live flowers. Now that I've been looking at it for so many years, for me, you can bulldoze it today, before tomorrow. You can bulldoze it and put a beautiful Christmas Tree there for all I'm concerned. It is horrible. It does not look anything like Coral Gables. I think the Garden Club would have done a much better job than that and not spent, I think it was over a million dollars back then. So, it does not represent the city and please, please put something in motion to remove it and put something much better looking than that, even if its palm trees or plants will do a better job than that. Thank you.

Commissioner Fernandez: So, to that point. I have discussed with the City Attorney, with staff the potential of removing the Segovia flower feature. Unfortunately, the contract that was worked out with the artist removes the city's ability to do much and puts all the power in the artist hand. It was a really bad contract. We've got a history of bad contracts in the city, add that one to the list. I've talked to staff about potential of selling it. We don't have an option of selling the art piece. So, I've explored it. I'm not done with it, but as of right now, there really isn't a way to get out of moving the art piece.

Mr. Virtle: And until when is the city bound with the artist?

Commissioner Fernandez: We are till looking into that. We're still looking into that.

Commissioner Menendez: By the way, it doesn't mean our landscaping department one day can just take care of it. I'll look the other way.

Ms. Virtle: Or the wind blew it.

Commissioner Menendez: If you have a weed-Wacker, go for it.

Ms. Virtle: The wind blew it, something, you know, like we've had people who brought properties, and some trees have blown away without any permission and the other circle, of course, is Coral Way and Segovia.

Commissioner Fernandez: Yes.

Ms. Virtle: The next one.

Mayor Lago: Thank you very much.

Ms. Virtle: Thank you. Thank you everyone.

Mayor Lago: Mr. Clerk.

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

Mayor Lago: Alright. Perfect. So, we can defer the item. We'll see what happens moving forward.