

1 CITY OF CORAL GABLES  
2 LOCAL PLANNING AGENCY (LPA)/  
3 PLANNING & ZONING BOARD MEETING  
4 VERBATIM TRANSCRIPT  
5 WEDNESDAY, AUGUST 13, 2025, COMMENCING AT 6:00 P.M.

6 Board Members Present at Commission Chamber:

7 Eibi Aizenstat, Chairman  
8 Robert Behar  
9 Felix Pardo  
10 Sue Kawalerski  
11 Alex Bucelo  
12 Javier Salman

13 City Staff and Consultants.

14 Fengqian "Grace" Chen, Principal Planner,  
15 Jill Menendez, Administrative Assistant/Board Secretary  
16 Craig Collier, Special Counsel  
17 Arceli Redila, Zoning Administrator  
18 Craig Southern, Planning Official  
19 Catherine Cathers, Arts and Cultural Coordinator

20 EXCERPT OF ITEM F-2

1 THEREUPON:

2 (The following proceedings were held.)

3 \* \* \* \* \*

4 CHAIRMAN AIZENSTAT: Next item, please.

5 MR. COLLIER: Next item, Item F-2, an  
6 Ordinance of the City Commission providing for  
7 text amendments to the City of Coral Gables  
8 Official Zoning Code, Article 9, "Art in Public  
9 Places," to amend certain provisions related to  
10 the Art in Public Places process including  
11 timing of payments, limits on art consultant  
12 fees, scope of fee waiver opportunities, and  
13 creating provisions for the regulation of  
14 Private Art that is highly visible from the  
15 public right-of-way; providing for repealer  
16 provision, severability clause, codification,  
17 enforceability and providing for an effective  
18 date.

19 Item F-2, public hearing.

20 CHAIRMAN AIZENSTAT: Thank you.

21 Sir.

22 MR. SOUTHERN: Forgive me.

23 All right. Good evening, again, everyone.

24 As just indicated, this text amendment is  
25 for the City of Coral Gables Art in Public

1 Places. Is that the item we're on? Okay.

2 Thank you.

3 CHAIRMAN AIZENSTAT: Thank you, sir.

4 MR. SOUTHERN: Thought I was --

5 MR. BEHAR: State your name, for the  
6 record.

7 MR. SOUTHERN: Craig Southern, once again,  
8 for the third time, Planning Official, City of  
9 Coral Gables.

10 Briefly, the City of Coral Gables' Art in  
11 Public Places program was established under  
12 Article 9 of the Zoning Code. It is a  
13 municipal initiative that integrates public art  
14 into both, municipal and private development  
15 projects, reinforcing the City's identity,  
16 cultural heritage and commitment to high  
17 quality design. Modeled, in part, after the  
18 Miami-Dade County's Public Art Ordinance, the  
19 program requires eligible construction projects  
20 to contribute a percentage of the construction  
21 cost toward the acquisition, installation and  
22 maintenance of publicly accessible art.

23 Tonight, we're lucky enough to be joined by  
24 a fellow Staff Member here at the City of  
25 Gables, Catherine Cathers. She's the Art and

1 Cultural Specialist. She's the one that  
2 actually worked quite a bit on these text  
3 amendments.

4 But very briefly, we're going to have her  
5 actually come up here, but I'll just give you a  
6 brief overview of some of the points of what  
7 these text amendments are proposing within  
8 Article 9. One of them is allow fee payments  
9 prior to issuance of Certificate of Completion  
10 or Temporary Certificate of Occupancy, for  
11 TCOs; refine waiver provisions, to ensure they  
12 are directly tied to public art or related to  
13 public benefit; codify limits on art consultant  
14 fees, that may be credited toward project  
15 requirements; and updates within the definition  
16 component within Article 9; and procedural  
17 language for consistency and transparency.

18 So if we could have Ms. Cathers come up and  
19 she can definitely do a better job than I'm  
20 doing.

21 MS. CATHERS: Good evening, Chair, Members  
22 of the Board. Catherine Cathers, Arts and  
23 Cultural Coordinator for the City of Coral  
24 Gables.

25 So as Craig, and Craig, have mentioned, we

1 are just looking for, you know, refining the  
2 Code a little bit. It's going to help both,  
3 from the Staff side, and also from the public  
4 side. I would like to mention that these  
5 revisions, I believe they came -- most of them  
6 came before this Board previously, about a year  
7 ago. Then never went on to Second Reading. So  
8 they're coming back again, with the addition of  
9 language requiring -- addressing the payment of  
10 the fee and when that is triggered. So that's  
11 the most significant change, since the last  
12 time you saw this.

13 This has been reviewed and recommended for  
14 approval by both, the Arts Advisory Panel and  
15 the Cultural Development Board, and we are  
16 ready to go to the City Commission, on Second  
17 Reading, following your input.

18 CHAIRMAN AIZENSTAT: Thank you.

19 Do we have any speakers on this item?

20 THE SECRETARY: No speakers.

21 CHAIRMAN AIZENSTAT: No speakers, on either  
22 of the three platforms?

23 THE SECRETARY: No.

24 CHAIRMAN AIZENSTAT: I'll go ahead and  
25 close it for public comment.

5

1 Go ahead, Robert.

2 MR. BEHAR: Thank you.

3 And I think this is a great modification to  
4 the process. I like the fact that the payments  
5 are due at TCO, not before, because until the  
6 project starts getting built, it makes no sense  
7 for somebody to make a payment, not knowing  
8 what's going to happen. So I think that was  
9 very, very good.

10 I do would like to see that more artwork  
11 will be implemented in the actual projects,  
12 than just a payment for the City, because I  
13 think we would benefit more, as a community, if  
14 we could walk around, and, you know, see the  
15 artwork throughout, not -- you know. So I  
16 would like to see that to be more, you know,  
17 important than just the payment, but I think  
18 this is very good. Congratulations.

19 CHAIRMAN AIZENSTAT: Thank you.

20 Javier.

21 MR. SALMAN: Could you talk a little bit  
22 more about the limitations on the value of the  
23 art that you are proposing?

24 MS. CATHERS: This really has to do with  
25 the percentage that goes towards consultant

6

1 fees. And, you know, right now, it's ten  
2 percent. So we're just providing more clarity  
3 on that.

4 MR. SALMAN: Is there any limitation as to  
5 the value of the art, other than what's  
6 specified as a requirement which is a  
7 percentage?

8 MS. CATHERS: No. There's no limitation.  
9 It could be -- and sometimes, this has  
10 happened, where the art has been above and  
11 beyond whatever the requirement is.

12 MR. SALMAN: One would hope so, but my  
13 question is, have you had situations where they  
14 are less than what's required and it just  
15 simply stated a value that is in compliance,  
16 but not necessarily of value?

17 MS. CATHERS: Yeah. So a couple of things.  
18 At the close of a project -- for one thing,  
19 within the resolutions that we put forward to  
20 the Commission, part of that resolution is that  
21 if it is under the amount, that they pay that  
22 difference into the fee. So if they have  
23 chosen and received the waiver, at the closeout  
24 of the project, we go through, you know, asking  
25 for the receipts -- you know, the invoices and

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1 receipts, so we know what those payments have  
2 been and we rectify it.

3 Did that answer your question?

4 MR. SALMAN: Halfway.

5 We live in a City that's full of clever  
6 people, so I just would hate to see somebody  
7 submit, you know, a decorated garage can and  
8 calling it art, you know, and say, "Oh, it's  
9 worth \$150,000, so we've met our requirement."

10 MS. CATHERS: Sure.

11 So we do have requirements for the artists  
12 themselves. They go through a strict review  
13 process by the Arts Advisory Panel, to make  
14 sure that they are professional working  
15 artists. So you couldn't just have, you know,  
16 your uncle, that's doing art in their garage.  
17 They do have to meet certain qualifications.

18 MR. SALMAN: I understand.

19 MS. CATHERS: So, yes.

20 MR. SALMAN: On very large projects -- and  
21 forgive the example -- where you would have a  
22 good six figure piece of art that you're going  
23 to have as part of Art in Public Places, is  
24 there any determination as to that value and  
25 whether that's commensurate with the art that's

8

1 being proposed?

2 MS. CATHERS: So if it is a purchased

3 piece, then we do require an appraisal, which

4 is covered in the Code itself. If it is a

5 commissioned piece, then it is the value that

6 has gone into the construction, the

7 application, the design, all of those elements.

8 MR. SALMAN: All right. Thank you. That

9 was just -- I think it was worth clarifying.

10 CHAIRMAN AIZENSTAT: Thank you.

11 Alex.

12 MR. BUCELO: No comments. To echo

13 Mr. Behar's thoughts, I like the changes.

14 CHAIRMAN AIZENSTAT: Okay. Sue.

15 MS. KAWALERSKI: Yeah. Just a question.

16 Section 9-106, Private Art on Mixed-Use and

17 Multi-Family Properties, is that a whole brand

18 new section? It's all underlined in here.

19 MS. CATHERS: Yes, it is. So that is to

20 address art that is in the public view, but is

21 privately owned and is not in compliance with

22 having to -- you know, so if a developer, which

23 has happened, chooses, on their own accord, to

24 purchase art or place art on that property, if

25 it is still within the public view, then this

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1 allows for us to have some sort of review

2 process, that's outside of having to go to the

3 full way of Commission. It's more of a Staff

4 review, from the BOA side, and the Staff side,

5 in our department.

6 MS. KAWALERSKI: Thank you.

7 CHAIRMAN AIZENSTAT: Thank you.

8 Felix.

9 MR. PARDO: I look at some of these

10 projects and the setbacks that they have.

11 Especially the larger projects, they have very

12 little area to place, you know, artwork there,

13 where it could be substantially enjoyed by more

14 citizens, also the location. Some of the

15 locations of some of the buildings that are

16 going up are on basically a back street type of

17 thing, and I think, having the option of

18 placing this in a more public area, where more

19 people can enjoy the artwork, significant

20 artwork, in fact, I think would be better.

21 The second thing is that, I have noticed at

22 least one building, and I will not name it, on

23 a major artery, where they have artwork that

24 was placed there, that it really looked like it

25 belong somewhere else. You know, it didn't

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1 have the quality of the thing. I know that you

2 can't determine everything, but sometimes I

3 really feel that some of the artwork that has

4 been put up is just not enjoyed -- it could

5 technically be, you know, in a public place,

6 but it's not the original intent of when the

7 County came up with the Art in Public Places.

8 They put it in areas that -- you know, whether

9 it was off US-1, where people -- you know, 60,

10 80,000 cars can go by and actually enjoy it, or

11 in the setting of a park. I really think that

12 the site location is very important.

13 I understand what Robert is saying, but not

14 always, when you have, let's say, a big

15 building, it could be right up on the sidewalk,

16 and there's absolutely no place to do that,

17 and, then, not everyone has plazas, such as The

18 Plaza, you know, where they could exhibit more

19 of their artwork that they donated in that

20 area.

21 MS. CATHERS: Yeah, we agree 100 percent

22 with you. So that's one of the things that the

23 panel, especially the Arts Advisory Panel,

24 they're the ones that definitely have a more

25 indepth conversation about these projects, and

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1 they're coming from their professional

2 background in it, and siting is very, very

3 important. So they're always looking at, you

4 know, is this really visible. You know, you're

5 saying it's visible. Is it really visible?

6 MR. PARDO: Right.

7 MS. CATHERS: And looking at it from the

8 different angles. So it's definitely

9 important. I think it is sometimes a

10 compromise between the public developer, who's

11 doing this, to put the art in there, on their

12 site. They also do have the option, which

13 they've taken sometimes, of either

14 commissioning or purchasing a piece and putting

15 it on public land, you know, and donating it to

16 the City. So that has happened, as well.

17 I have to say, one of the things that, you

18 know -- one of the things that I love about it

19 is that there's a lot of flexibility for this

20 City, and the options for the developers.

21 MR. PARDO: I think the viewpoints are very,

22 very important. You see it everywhere, from

23 Washington DC, to any place, where you have the

24 viewpoints going specifically and accentuates

25 and complements the artwork and it just becomes

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1 more enjoyable, by more people. So I think  
2 that trimming some of the potential abuse areas  
3 are important.

4 I also agree with Robert, that, you know,  
5 paying for this at the end is really more in  
6 keeping with being fair, but, you know, it has  
7 to be done.

8 Can you tell me, does -- in the City's  
9 coffers, for art, dedicated, where you've  
10 received contributions, approximately how much  
11 money do you have available at your  
12 disposition?

13 MS. CATHERS: Right now, because we've had  
14 some major acquisitions and decisions, right  
15 now it's probably between three and four  
16 million.

17 MR. PARDO: I'm sorry?

18 MS. CATHERS: Between three and four  
19 million is my guesstimate.

20 MR. PARDO: Thank you so much. I  
21 appreciate it. Those are all of my comments.

22 MR. BEHAR: I want to address one comment  
23 that Mr. Pardo made, because I've seen a  
24 project that the artwork that was put in -- one  
25 of my projects, that I didn't even participate,

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1 and I think that the committee should look at  
2 it more closely, to make sure it's compatible.  
3 I haven't taken a picture of the project,  
4 because I don't like the artwork, put it that  
5 way. So I think that please be more --  
6 scrutinize the artwork. I know it's  
7 subjective, but be compatible.

8 MS. CATHERS: I'm just wondering, maybe  
9 it's the piece that is addressed in the private  
10 part. I'm not sure.

11 MR. BEHAR: Okay.

12 MS. CATHERS: But it could possibly be --  
13 it is, in that case -- it was purchased outside  
14 of an approval process, in keeping with their  
15 requirement.

16 CHAIRMAN AIZENSTAT: Thank you.

17 I echo the same sentiments of my fellow  
18 Board Members. I highly would like -- I would  
19 very much like to see the art be placed in a  
20 building that it's intended to, as opposed to a  
21 fund. I think that gives a lot of value to the  
22 City, not just the property, but to the City as  
23 a whole, when you're walking through. I  
24 support what you're doing.

25 MS. CATHERS: And realistically, sometimes

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1 it really needs to hit a certain bar, before  
2 they can have a piece that's significant enough  
3 for them to do that. So we're still working  
4 with the different departments about the  
5 collection and how that will happen. It will  
6 be easy to administer on those larger projects,  
7 but the smaller projects, we still want to give  
8 them the opportunity to pay in advance.

9 So, like I said, it really is, I think, a  
10 benefit, and I agree, for these larger  
11 projects, that sometimes don't have that  
12 capital in advance.

13 CHAIRMAN AIZENSTAT: Thank you.

14 Would anybody like to make a motion?

15 MR. BEHAR: I'll make a motion to approve.

16 MR. BUCELO: I'll second.

17 CHAIRMAN AIZENSTAT: We have a motion.

18 Alex goes ahead and seconds. Any discussion?  
19 No?

20 Call the roll, please.

21 THE SECRETARY: Felix Pardo?

22 MR. PARDO: Yes.

23 THE SECRETARY: Javier Salman?

24 MR. SALMAN: Yes.

25 THE SECRETARY: Robert Behar?

15

1 MR. BEHAR: Yes.

2 THE SECRETARY: Alex Bucelo?

3 MR. BUCELO: Yes.

4 THE SECRETARY: Sue Kawalerski?

5 MS. KAWALERSKI: Yes.

6 THE SECRETARY: Eibi Aizenstat?

7 CHAIRMAN AIZENSTAT: Yes.

8 Thank you.

9 MS. CATHERS: Thank you very much.

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11 (Thereupon, the meeting was concluded at 8:30

12 p.m.)

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C E R T I F I C A T E

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STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court 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 15th day of August, 2025.



-----NIEVES SANCHEZ-----