

City of Coral Gables City Commission Meeting

Agenda Item E-1

February 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

Interim City Manager, Alberto Parjus

City Attorney, Cristina Suárez

City Clerk, Billy Urquia

City Planner, Jennifer Garcia

Assistant City Attorney, Gus Ceballos

Economic Development Director, Belkys Perez

Marketing Manager, Solanch Lopez

Public Speaker(s)

Laslo Durazo (phonetic)

Fernando Yanes

Agenda Item E-1 [11:27 a.m.]

An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, Article 2, “Zoning Districts,” Section 2-403, “Giralda Plaza District Overlay;” by allowing a television screen on the inside of a window on the pedestrian street of Giralda Plaza; providing for severability clause, repealer provision, codification, and providing for an effective date. (10 11 23 PZB recommended approval, Vote 7-0)

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(Sponsored by Commissioner Castro)

Mayor Lago: Moving on to Item E-1, which is time certain.

Unidentified Speaker: Thank you very much.

Mayor Lago: No, thank you, sir.

City Attorney Suárez: E-1 is an ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, Article 2, "Zoning Districts," Section 2-403, "Giralda Plaza District Overlay;" by allowing a television screen on the inside of a window on the pedestrian street of Giralda Plaza; providing for severability clause, repealer provision, codification, and providing for an effective date. This is a public hearing item.

Mayor Lago: Madam Director, do you have a presentation for us?

City Planner Garcia: No, so the only changes have happened since first reading as discussed, the spacing to be allowed every 25 feet or as -- what's deemed to be appropriate for the area, requiring an outdoor dining permit as well. I think those are the main changes since first reading.

Mayor Lago: Before we move on, Mr. Clerk, do we have any public comment?

City Clerk Urquia: Yes, Mr. Mayor.

Mayor Lago: I'll entertain public comment.

City Clerk Urquia: First speaker is Maria Cruz.

(COMMENTS MADE OFF THE RECORD)

City Clerk Urquia: Second speaker is Laslo Durazo (phonetic).

Mayor Lago: Morning, sir.

Unidentified Speaker: Morning.

Laslo Durazo: Morning. Before anything, I want to thank you very much for your hard work and efforts in working in this wonderful city that I've been doing business here for close to 15 years, 16 years, and it has always been amazing support for us. So, I want to thank you so much for everything. Second, we have an issue in Giralda where I think about a couple of years ago, they asked us to remove the plants that we have in the terrace. And those plants, obviously, we put

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them trying to make an amazing hospitality experience for our guests. And recently, they were asked to be removed. And when the plants are removed, our neighbor across the street has three large TV screens that, especially at night, they project a lot of light, sounds, and images that are not in line with the type of experience that we've been known for the last 15 years in Coral Gables. So, understanding the needs of our neighbor and not wanting to get into a, you know -- we thought that a great solution was to put screens that they act exactly the same way as you have an umbrella when the sun is shining to your guest. When the sun shines, you put an umbrella, the sun doesn't shine, and then problem solved. So, we did the same thing. We have -- at night, we have light and images that don't match. So, instead of having the umbrellas horizontal, it's like having umbrellas vertical. We did it with a designer, very tasteful, quality. It was a high cost. And so far, it's not as good as it was before with the plants, but at least we're operating. So, we ask in this process where we have two different needs and two different business in the same street to please consider us as a restaurant that has been there 15 years providing a certain experience for our dining guests, that if we change that, obviously our business is going to -- is suffering. And add on that, the competition that we're facing with new restaurants opening constantly in the area with very, very large investments, with people that are very professional, committed to make amazing experiences to the citizens of Coral Gables that we need to keep up. And there's no way we can achieve that if we don't count with your support, understanding, and hopefully meeting middle ground where we can all live harmoniously and doing good business. That's it.

Mayor Lago: Thank you for being here.

Mr. Durazo: Thank you very much.

Mayor Lago: Mr. Clerk.

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

Mayor Lago: Do I have a --? Before we start debate and we have a conversation, unless you have any questions for staff.

Vice Mayor Anderson: I do have a couple questions for staff. And it has to do with one with the screens. Is that something that a permit was pulled for?

City Planner Garcia: The current screens that are there?

Vice Mayor Anderson: The screens that were being put up between the one res --

City Attorney Suárez: I think she's referring to the diff -- a different property, not the subject of the ordinance.

City Planner Garcia: I am not sure. I'm not sure if (INAUDIBLE) knows the details of that.

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Assistant City Attorney Ceballos: Good morning, Mr. Mayor, Vice Mayor, Commissioners, Assistant City Attorney and City Prosecutor Gus Ceballos. If you're referring to the screens across on the Talavera that you're referring to, the screening?

Vice Mayor Anderson: Yes.

Assistant City Attorney Ceballos: So, currently that is not a permittable item. That has recently gone to Code Enforcement and they were cited for that. The board, I believe, gave them time to seek compliance and possibly seek an amendment to the Code to either allow the screening or to allow those planters to be reinstalled in order to create that screening between the two properties. But currently, no, that is not permitted under (INAUDIBLE).

Vice Mayor Anderson: So, since you're here, I have a few more questions.

Assistant City Attorney Ceballos: Sure.

Vice Mayor Anderson: We -- I know it was either a resolution or a discussion that we should have a clear walk space down the center of Giralda Plaza, not just for pedestrians, but also ADA accessibility for folks to be able to get through the plaza and walk. Are those screens, assuming that they were approved, impeding that type of movement?

Assistant City Attorney Ceballos: I'm not an expert in that, but from my understanding of what I've seen of those screenings, they're built into the umbrella. So, I don't believe that they increase the encroachment. So, I don't think accessibility is an issue, but I'd have to defer to staff and experts on, you know, ADA mobility if that would cause an issue.

Vice Mayor Anderson: No, it has to be at least a 36-inch wide unobstructed path. And through restaurant spaces, you have to have rooms between the tables in order to be able to move a wheelchair, you know, including depth. You bring the chairs back and plus you have to have room for servers, et cetera. But the main thoroughfare is -- has to be left open for life safety issues, be able to get someone in and out of there, so you can't have that impeded. So, that's one issue that I know needed to be looked at with the screens, aside from aesthetics, which I'll get to in a moment. Has there been any exploration by staff with regard to alternatives on how the TV screens can be mounted to where they don't cause that glare that the -- I believe it's the Talavera restaurant is -- has brought up as an issue?

Assistant City Attorney Ceballos: I'd have to defer to staff. I don't have the answer to that question.

City Planner Garcia: I'm not sure if anyone's looked into -- as far as how to -- the -- you mean the actual images and the -- the light coming from the glass, not necessarily just the glare of the window, but also, just the amount of light coming from the TV screens?

Vice Mayor Anderson: Yeah, I only mean...

City Planner Garcia: At night.

Vice Mayor Anderson: If I face the screen directly at you, it's brighter than if I tilt it.

City Planner Garcia: Right.

Vice Mayor Anderson: Your view of it, the light goes that direction. I'm not sure whether or not that's an issue. My husband and I have discussions about that every night when he leaves the TV on flashing and it drives my eyes crazy because it's a strain on my eyes when I'm trying to, you know, work on certain things. And he plays it regardless of whether or not he's actually watching it or not. So, that's a personal issue. The other issue, you know, if staff hasn't looked into that, that's something that I would like to have looked at to see if there's a balance. And I know staff has arranged for a meeting to occur on March 20th in order to be able to have all the stakeholders express desires and so forth. But I'm also concerned about aesthetics because I can't imagine a project such as Umbrella Sky ever coming there again and the great magnet that it served with these screens up. You know, the partition between the various restaurants is just not going to be aesthetically pleasing. So, being a practicing lawyer for 37 years and having mediated, you know, hundreds of cases, and I know that if you bring parties together around a table, most of the time we're going to be able to come out with a resolution between folks to resolve an issue. So, that would be my position, that we need to get folks around the table. I believe the last date I heard was March the 20th. That's not far from now and see if we can have a meeting of the minds that keeps everybody happy and provides ADA accessibility, allows for wonderful art projects to come to that plaza and attract even more business for our folks in our community, not only the restaurants on that street, but also the rest -- the hotels nearby because, I mean, Umbrella Sky was a big hit. The Moon was a big hit. And we have great opportunities here that if we don't deal with them carefully are going to be a detraction in that plaza rather than a positive impact. So, is there any other information you can provide us with regard to the process and what was done on this -- on this item?

Assistant City Attorney Ceballos: I can only speak to the code enforcement aspect of it. So, both properties were cited at different times for different issues, and they're going through the process to either bring them into compliance with the Code, or at the end of the day, they've got to remove the screens, both the physical ones and the TVs.

Vice Mayor Anderson: Okay. Well, thank you.

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Mayor Lago: Any other further questions for staff?

Commissioner Castro: Does anybody know how long the TVs have been there for?

Assistant City Attorney Ceballos: I don't.

City Planner Garcia: No.

Commissioner Castro: Four years? And in the four years, this is the first time the brightness is bothering the restaurant, Talavera?

Assistant City Attorney Ceballos: I'd have to defer to the property owner. I can't speak to that.

Commissioner Castro: He's right there.

Vice Mayor Anderson: I guess for the Clerk...

Mayor Lago: Why don't...

Vice Mayor Anderson: I don't want -- I'd hate to interrupt (INAUDIBLE).

Mayor Lago: Why don't we have -- why don't we have discussion after, but let's ask questions to staff, and then we'll finish with staff, and then we'll make a motion to have discussion amongst the Commission and we can ask any other questions that you need. Do you have any questions for staff, Madam Commissioner?

Commissioner Menendez: I do, Mayor. Real quick.

Mayor Lago: Commissioner.

Commissioner Menendez: So, based on the comments, the glare or the issue is when the sun goes down primarily, at nighttime. That's my understanding. The glare -- go ahead. I'm sorry, through the Mayor. The glare is mostly at night?

Mr. Durazo: Yes.

Commissioner Menendez: Okay. And based on sports, you know, they have a netting. I think Coral Gables Senior High School has a netting when there's baseball. And I don't think the netting has -- if there is a mesh or something, doesn't have to be permanent. It can go up at night and be put away during the day. So, in my opinion, I mean, there are solutions. We just had Snapper Creek here and we found a solution. I think this is an opportunity, again, as a Commission, to find a solution. So, I'm hoping they can find something that you're satisfied...

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Mr. Durazo: Yes.

Commissioner Menendez: The other property owner is satisfied, and Giralda can -- Plaza can continue to be a place that everybody wants to go to.

Mr. Durazo: Very good. I think that what we have right now is not permanent. It can be taken up and down. And the second is that we're doing it not because we want to put the screens. It's because we need the screens, and that need comes from an element that was not there before that came and disrupted our business. So, we should not be concerned that this will apply for the rest of the businesses because the last thing you want is to block the view from the public because that creates potential for sales. So, the rest of the restaurants are not going to have the need to have the screens so -- because they -- it's much better to have it open and show it.

Commissioner Menendez: Do you prefer the plants or the planters or a screen? Which of the two would you prefer?

Mr. Durazo: Either one. Either one works. But if we put the planters, then we -- that applies to the rest of the street, you know. The planters will have to go back to street, which I don't mind at all, but the screens I think only apply to us because we have a need of blocking something that disrupts the experience of our guests.

Commissioner Menendez: Okay.

Mayor Lago: Thank you very much.

Mr. Durazo: Thank you very much.

Mayor Lago: Commissioner, do you have anything -- do you have anything else that you'd like to add? Commissioner Menendez?

Commissioner Menendez: No, no, I'm good. Thank you.

Mayor Lago: Commissioner Fernandez?

Commissioner Fernandez: Just as a point of order, Mr. Mayor, when somebody sponsors an item under Robert's Rules, they're the first to speak.

Mayor Lago: Madam City Attorney.

City Attorney Suárez: So, Mayor and -- or Commissioner, in our Code, once there's an item is called -- you know, the presentation is made by staff.

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Commissioner Fernandez: Correct, but I'm not talking about -- staff came up, but the Mayor went to the Vice Mayor first. It should have been Commissioner Castro who spoke first.

City Attorney Suárez: I do think the Vice Mayor asked to be recognized, and so I don't know that the Commissioner asked to be recognized. And so, you know, we can --

Commissioner Fernandez: I think we need to have a serious training on Robert's Rules. I have recommended to you an individual who trains Miami Lakes every year on the process of Robert's Rules so that everybody understands how Robert's Rules work. Because applying Robert's Rules only when it's convenient is just not the right way to do things. As far as the item at hand, Mr. Durazo, I received your email. I don't know if you received my email back. I want to go onsite and see exactly what you have there. I've seen the -- the partitions that you've placed there. But I agree with you. I think what you had there with the trees before was something that was more natural and it presented a better option for the area. To the Vice Mayor's question about accessibility, I don't think -- like Assistant City Attorney Ceballos said, it's not impacting because the -- it's where the natural barrier already was and people always had to walk around in order to get through, so that's not impacting. In fact, more people probably walk on the sports bar side than on the Talavera side. So, I don't think that that's an issue. This issue has been kicked down the road now for a couple of months, and I think it's time that we bring it home and deliver. I think we need to work with Mr. Durazo and with the neighbors and with other businesses on the street who may have similar issues that are affecting them in order to have somewhat of a designated space. We see it on Lincoln Road all the time. You know, restaurants have a different theme, a different design, and things that only apply to them. And I think we've talked about it many times on this dais. We want to make sure Giralda is successful. If we want to make sure Giralda's successful, every individual business on Giralda has to be successful in the type of theme that they are. So, those are just my comments. I appreciate you coming. I appreciate you coming out and staff for the work you've put in.

Commissioner Castro: Okay, through the Mayor, I know that there were some concerns with the planters and as far as when it comes to like hurricane season and weather, right, weather conditions. So, what I was thinking, if the Commission agrees on this, if we do like a -- like an approved category of certain planters that would be safe for -- for that section, for that district that are not going to fly away. So, basically, if you do want a planter, then these are the approved ones that are safe for that type of setting.

City Planner Garcia: Yeah, I think it's also the material. I think there was some rusting of the pavers, maybe having some kind of plastic as part of the planter might resolve...

Commissioner Castro: And I guess that could be part of like the permitting approval.

Assistant City Attorney Ceballos: So, my understanding is that part of the decision to get away from planters both on Miracle Mile and Giralda was specifically the damage being done to the surfaces.

Commissioner Castro: Okay, so let's figure out a way that those planters aren't going to affect the floor.

Assistant City Attorney Ceballos: Understood.

Commissioner Castro: And then let's, with the support of the Commission, move forward with that.

Vice Mayor Anderson: Mayor.

Mayor Lago: Madam Vice Mayor.

Vice Mayor Anderson: A few last comments. I did have the opportunity to meet with the owner of the bar, okay, and I saw some of the footage from the surveillance cameras, and you know, the -- I want to call them the curtains -- were going up, day, night, automatically, whether they had customers there or not or whether or not the TVs were on or not. And aesthetically, it wasn't pleasing. Planters also present a problem as well, and we've had this issue, you know, along Miracle Mile where planters were used to create like an exclusive area. It's an impediment to accessibility. We do have somebody in the audience that has had accessibility issues, you know, and when you have to deal with it -- and planters themselves, you know, it's not a self-contained item. You have dirt, you have a potted plant in there, you're also going to have some drainage from that. You're going to have some dirt from that. And I know there's some maintenance things that can be -- can be done. But when I met with the owner of the 77 Bar, he was very willing to meet with the other business owners. And in order to avoid having friction between our business owners there, I think it would be beneficial for us to thoughtfully have a meeting with the business owners to try to resolve these differences of opinion and have a cohesive environment on Giralda Plaza rather than something that is in conflict all the time. March 20th is not that far off. I think we will come out with a better solution and a better result if we don't try to do something without hearing from all the stakeholders on Giralda Plaza and what they would like to see. These are the two leading businesses that are right on Ponce de Leon that lead into the view of the entire plaza. What you do at these two businesses will impact the, I would say, the welcoming view for individuals that want to look at the rest of the plaza. Let's get people around a table. Let's see if we can sort these things out together and not rush to do something that we will regret later on. Let's get their input, let's hear their input, and then make a decision.

Mayor Lago: Thank you, Vice Mayor. Are there any further comments from the Commission?

City Clerk Urquia: Mr. Mayor, before you --

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Mayor Lago: Or questions.

City Clerk Urquia: I'm sorry, before you move on, I did have one additional member of the public who signed up to speak after the fact.

Mayor Lago: Perfect.

City Clerk Urquia: Mr. Fernando Yanes.

Fernando Yanes: Good morning.

Unidentified Speaker: Morning.

Mr. Yanes: Thank you very much, Commissioners, about this issue that has been running now for months. As far as I know, I've been working here for seven years very hard as my business, my family business owner. We put all our savings in the City of Coral Gables. They want to -- I've been living for almost 20 years, and I truly believe it's a -- it's a city that we can do something for it. When we put these TVs back in 2018, we start going there with permitting and everything. Back in the days, it shouldn't -- with all the issues that Giralda has as a renewed pedestrian area, has a lot of regulations that doesn't apply anymore for that. And this is the type of regulations that we've been dealing to. Back in the days, I was the first one to apply for a permit for the seating, the first one in the whole street, the first one there. And they made me change seats, change tables because the pavers and everything -- and we're willing to always work. We have to bring tables and chairs from Las Vegas because they was the ones that helped to take care of that so we did. We spent more than we were supposed to just to comply with all the situations. So, that's my whole life. I run all the permits and the whole construction of my business myself. Okay, I went and sit with every of the inspectors, every of the city boards. Everybody knows me because I was there every day at 8 or 9 in the morning. So, I've been hard working for this. After a few years, we complied with the planters, we complied with everything. There's a lot of misunderstandings and issues with permits here for Giralda, many, many. I came to apply for the -- a seating, and I believe was very high-end. By mouth, they told me, yes, you can put it; after, I got cited. No, you cannot put it. When I came back, the architect, he wasn't there anymore, so nobody can put a word on me for that. So, I have to take it out. I take it out, no problem. After spending \$15,000, I take it out, no problem. I have it in my house right now. So, now with the LED TVs is something that affecting directly my business completely as a sports bar -- as the only sports bar in the city, the only one that identifies as a sports bar. We have been bringing people from all over the world, artists, football players, everything for the enjoyment of the community. As many of you know, we put in there the City of Coral Gables Giralda (INAUDIBLE) to our channels. We are in ESPN. We've been broadcast for all over with the sports teams restaurant that we have there. So, we came here. We applied for the LED TVs. As the ombudsman, Silió told me, hey, you have to apply. They're going to deny you, and then you get a motion to try to change this because this

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regulation is not working. It doesn't apply anymore to the -- to Giralda Plaza. We followed that instructions. After we (INAUDIBLE), we came here with my landlord and say -- and he tell me, hey, let's go to the mayor. He's going to sponsor. You sponsor it. You -- all of you approve in the first reading. Went back to Zoning; Zoning give their recommendations and now they got stuck. And now there's some big mess for that. And everybody start post streams and all the situation. I don't want to mention about it. And now my business is affecting with all the situation. My landlord now put me in a spot that if you don't get approved that, you're going to have to get out from there. So, now we're in that point. So, all the situation, all the problems that created around that is affecting me directly, my income, my family because of this. So, as the people mentioned, it's because my TVs -- I totally understand them if they don't want people stay in their place and watching my TVs, totally understand. And don't say then they put there for me because, as you got proof right there -- look at the videos -- 11 in the morning on Mondays, I don't open Monday for the last four years. The screens are up. So, it's not for my business; don't blame on my business. It's your desires and your needs, totally understand them, respect for that. I truly believe it has been long enough working back and forward with this. And I really appreciate if you guys can watch the video, can ask yourself we going to continue with this fight because now we're going to put -- involve more people, more businesses that maybe are in favor or maybe are not. But whatever it is, it's affecting myself, my business. And they are making their money too. Nobody blame with that. There's many issues here I don't want to brought out, but these points of view, this is January 29th, 11 in the morning and close. February 5th, 11 in the morning and close. The screens go down. So, this is not part of my TV situations. February 12th -- and I have at least six month -- three months of that. So, they can't blame on my TVs that happens because if this for the view and everything, well, you got a team, I got a team, and other people got a team, everybody have a different teams. And that's why the people come here to Giralda. They come in to get lunch, they come at night to watch a sport, they come on the weekends to watch a sport with the family. And this is part of the Giralda diversity, inclusive dimension. This is where you have to do it. And I really believe this is more than enough proof that we need to get done with this. That would be all. Thank you very much.

Commissioner Castro: Quick question, through the Mayor. Quick question. What were the problems? Why is there so many problems or what is causing the problems?

Mr. Yanes: Well...

Commissioner Castro: What's the hiccup here?

Mr. Yanes: As you know, we got before a beautiful sofas right there. Then everybody loved it. We have to take it out. Now there's a different layout. I'm working on that. And people love to be outdoors, love to sitting outside under the stars and watch any sport they want. We're trying to commit to -- don't put any other kind of sports that is aggressive or anything. It's just basketball, football, baseball, whatever they want to, it's going to be there, golf, tennis, you mention it. So,

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my issue is directly to my people cannot be there in peace outside of my dining area, just because now the people want to take it out the TVs.

Commissioner Castro: Yeah, so mainly my question here was, this ordinance was sponsored by the Mayor and now it's sponsored by me. Let's give the viewer a better understanding of why that is.

Mr. Yanes: Well, I don't know what happened. I don't know why that happened, okay? I don't know why. I understand after that we get a very heated situation.

Commissioner Castro: And by heated, you mean what?

Mr. Yanes: Very arguing, very complicated.

Commissioner Castro: Between? Between who?

Mr. Yanes: Between the Mayor, my landlord, and me. So, all that situation there is kind of political, and I don't want to be in that. I just want to be sure that my business is working as it should be. If nothing changed than what we're proposed to now, nothing has been changed. So, that's why I don't understand why they keep trying to pull more people in and asking for delay this situation when it has been already three months working on that.

Commissioner Castro: So, it was approved by all of us on the first ordinance. Then it was approved by Planning and Zoning. And then it's coming back now, but the Mayor didn't want to bring it back. He was originally the sponsor. So, I decided to bring it back because, actually, he sent me a message saying that if I didn't have enough -- and I'm not going to say the word -- I would bring back the legislation. So, here I am. You know why? Because I was elected to represent the small businesses and the residents of this community. And I am here to give the little people and the people that don't have a voice a voice, okay? So, I am going to be here representing you and I think this is the most -- this shouldn't be political. This is your life, this is your business, okay?

Mr. Yanes: I really appreciate it.

Commissioner Castro: And you shouldn't feel threatened. I just -- let me get something clear here. This is not a strong mayor government, okay? All of us here have the same value and the same vote, okay? So, the Mayor cannot bully or threaten any business owner. And if any business owner finds himself in that situation, come see me.

Mr. Yanes: I really appreciate it.

Commissioner Castro: Thank you, Fernando. Another -- yes.

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(COMMENTS MADE OFF THE RECORD)

Vice Mayor Anderson: Move the mic, please.

Mr. Durazo: In all due respect, the comment that he is referring to where we have the shades or the screens during the day, and he is taking that information to kind of make you or convince you that the issues are not the TVs, that the issue is that I want to put those screens for my personal benefit of my business. I just want to make sure that that is not the case. The reason why sometimes during the day the screens are there is because they leave them up. If you want them -- me to take them down and have them only up at night, I can do that, no problem. I'll give you the order right now, and that's what it's going to be. Okay, but please don't -- I just want to make sure that that is clear.

Mayor Lago: Thank you very much.

Mr. Durazo: Thank you very much.

Commissioner Castro: Another thing, Vice Mayor Anderson was suggesting that we wait until we talk to the business owners to see how they feel. Since I was sponsoring this ordinance, I thought it was my responsibility to talk to the business owners, right, to firsthand see how they feel and if they would be affected by this ordinance. So, on Friday, I went to Giralda and I stopped by every store, every restaurant, and I spoke either to managers or to owners. In fact, I even spoke to, I'm sorry, your last name?

(COMMENTS MADE OFF THE RECORD)

Commissioner Castro: Caro.

Mr. Durazo: Durazo, Durazo.

Commissioner Castro: Okay. From all the ones that I spoke to, and I spoke to Rice, Ceviche Divino, Candle Land, Clutch, Calista, the Sandwicherie, Coyo Taco, Sweetgreen, Stem, CRAFT, the sushi place, Bistro Vida, which just opened, by the way. All of them, all of them are in support of your TVs. If that was not the case, I would not be here supporting you because it's not only about your business, but it's about all the businesses together, okay? He was the only one that -- obviously, he's right in front of you -- that had some concerns. But your issue, I think we should handle separately from what we're dealing with you. Talking to the owner, something did come up. And this is a little out of subject, but I want to bring it up. And Nicolas Cabrera's doing a little market there. They're actually very happy, but some did share a concern that maybe screening -- and this is for Belkys if she's here, no -- maybe -- yeah, right there. Maybe screening

the vendors, because I know that there was a vendor there that's selling knockoff purses, and that is completely unacceptable, not only on Giralda -- in fact, it's illegal, yeah.

Economic Development Director Perez: Thank you, Belkys Perez, Economic Development Director. We were made aware of that. The vendor is not a City of Coral Gables-run event. It is, as you said, by a third party. Special events did go through the permit process. We do get a list of vendors, but it's only when we're there that we see it. We did reach out already to Nicolas Cabrera who was putting on the market and told him he cannot have that. And we've also corroborated that with our merchants on the street to make sure that they knew what was going on. So, that's been taken care of.

Commissioner Castro: Thank you so much, Belkys.

Mayor Lago: Any -- if I may, any further comments?

Commissioner Castro: Not for now.

Mayor Lago: Yes, sir. Go ahead.

Mr. Durazo: Sorry. I think that on the walk-through that you did with the owners, I think there was a survey done, a formal survey.

Mayor Lago: I'll be covering that right now.

Mr. Durazo: So, I think that should be...

Mayor Lago: I'll be covering that right now. Thank you, sir. Is there any other questions for staff before we go into the (INAUDIBLE)?

Commissioner Menendez: Question for the City Attorney.

Mayor Lago: Go ahead.

Commissioner Menendez: I'll go back to what I said. We've been very effective in finding solutions to issues. This isn't rocket science. It's very simple. We can come to a solution. My concern is based on what I'm hearing today and other comments that have been made over time, I don't want the public watching this to get the impression that we're doing things the way other cities in South Florida do. Other cities that have been accused of targeting residents, targeting businesses, we don't do that in Coral Gables. So, I hope we can rise above whatever differences we have here. And my question for the City Attorney, God forbid we ever get into that situation where we're accused of targeting, what are the ramifications to the City in terms of targeting a resident, targeting a business owner?

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City Attorney Suárez: Commissioner, that would wholly depend on the circumstances of any particular situation. I think what you're getting at is if we were sued or challenged in a lawsuit, again, it would depend on, you know, the particular facts of that scenario.

Commissioner Menendez: I think we can...

City Attorney Suárez: And you know, targeting, I don't know exactly what you meant by targeting. So, that's -- that would have to be fleshed out with the facts of whatever challenge was brought.

Commissioner Menendez: I hope we can find a path forward where differences are set aside. We find a solution. It's a win-win for everybody, including our community, obviously, number one. Those are my thoughts.

Mayor Lago: Madam Vice Mayor, do you have a question for staff?

Vice Mayor Anderson: Has the staff looked at some alternatives as to whether or not the screens can be positioned in such a way that the glare is not flashing over to the restaurant across the way, such as tilting in one direction or another so that it doesn't become a flash point on the eyes? Has that been looked at at all?

City Planner Garcia: We have not, but we can look into that.

Vice Mayor Anderson: Okay. How long would it take you to look into that?

City Planner Garcia: I think ideally, we should look at that before we meet with the -- with the business owners.

Vice Mayor Anderson: The business owners?

City Planner Garcia: Um-hmm.

Vice Mayor Anderson: Okay. And for the owner of the bar, is that something you're willing to consider, tilting the screens just a little bit so that they're not directly hitting the eyes?

Mr. Yanes: It's a challenging technical situation because we just have 1,000 feet inside.

Vice Mayor Anderson: No, I understand. I have that same situation with my TV in my house. My house is not Taj Mahal. You know, I just -- if I tilt that screen just a little bit, it makes a huge difference. And we're talking about an inch or two, you know, just doing a tilt on that. I'm trying to do something here that satisfies the needs of both businesses without having planters and so

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forth obstructing from the beauty and the openness of the Giralda Plaza so that we can all enjoy it, so it's welcoming not only to your business but everybody's business there because you are the gateway to the rest of the businesses there. And the last thing we want to have is, you know, screens and planters obstructing the view. You want it welcoming and open, okay? So, if you're willing to do that, I think we can reach a happy medium for all the businesses.

Mr. Yanes: As always has been, I always try to help and follow the instructions that have been done for me, always.

Vice Mayor Anderson: So, I appreciate the time you spent with me on Friday. We were hitting here -- I think we left at 7:30 at night.

Mr. Yanes: Yes.

Vice Mayor Anderson: So, thank you for the time you spent. I got to understand much more greatly the issues that you're facing.

Mayor Lago: Any further questions for staff?

Commissioner Fernandez: Yeah, this is the first I hear of this March 20th meeting. Who scheduled the March 20th meeting?

Marketing Manager Lopez: The meeting hasn't been con -- the date hasn't been confirmed because there's a slight issue with everyone's availability, so it hasn't been finalized yet. That is the proposed date that we're looking at. Once the date is confirmed, we'll Sunshine it and put it on all of your calendars.

Commissioner Fernandez: Now at whose request was that meeting scheduled?

Marketing Manager Lopez: I'm not sure. Belkys had to step out real quick, but she'll be back in a second.

Mayor Lago: I'll give you further information on that now when I present you with a memo.

Commissioner Fernandez: But I need an answer to that question, because as far as I know, this Commission never requested that meeting.

City Attorney Suárez: Mr. Mayor, if I may, Commissioner, there was a meeting that -- with the Mayor and attended by the business owner and the property owner and the Manager's Office. And at that meeting, part of the takeaway from that meeting was that there would be a meeting scheduled with the business owners and the property owners on Giralda.

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Commissioner Fernandez: So, staff resources are being used at the request of the Mayor alone.

City Attorney Suárez: The Mayor can request that a meeting be scheduled. The Mayor can certainly request a meeting be scheduled. I think staff and -- also had an interest in hearing from all of the property owners and residents.

Commissioner Fernandez: And the rest of us were not informed.

City Attorney Suárez: I believe that you were all going to be informed. I don't know what the -- you know, this is being scheduled by Economic Development and through the Manager's Office. So, I don't know what the plan was. I believe everyone would be included.

Commissioner Castro: No.

Commissioner Fernandez: This is a continued issue that we're having with staff where meetings are being scheduled without taking into consideration the Commission schedule, only the Mayor's schedule and we're the last to find out what's going on.

City Attorney Suárez: Mayor, may I?

Mayor Lago: I would like -- I mean, again, I know I have to reserve myself for after we have the actual motion, but I would like for Belkys to respond because she's the one coordinating the meeting. I have a detailed response that took me two weeks to put together and I'll be providing it for you now.

Economic Development Director Perez: So, there was an additional -- an initial date that was set up. So, we did a survey of our community, of our businesses, and we asked what date is beneficial. So, there was two specific times and days of the week that the businesses were available. And so March 5th and March 20th have been set aside. And I believe it's in all of your calendars.

Mayor Lago: Yep.

Commissioner Fernandez: This is the first I hear this.

Economic Development Director Perez: I will double check, but all of you were supposed to -- it was supposed to be put on all your calendars.

Commissioner Castro: The way I found out was by Mr. Fernandez.

Economic Development Director Perez: So, March 20th is not on your calendars?

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Commissioner Castro: No, no, I -- if I put it on my calendar was because I found out by him, it was March 5th, and then it was changed to March 20th, and it wasn't by the City that I got this information, it was by the business owner.

City Attorney Suárez: Mr. Mayor, can I just clarify one point?

Mayor Lago: Of course, please.

City Attorney Suárez: For Commissioner Fernandez. Each of you individually can request a meeting, and that can be scheduled if it's -- so, at the time, the Mayor was the sponsor of this legislation. He had the meeting with the business owner and the property owner, and he requested that a meeting be scheduled. So, each of you can request that. If that's something that, you know, you ever have an issue that you're working on and you'd like, you know, staff to assist with scheduling a meeting, that's something that you can certainly request.

Commissioner Fernandez: Our former manager made it clear that I could not. I had to get it up here and a vote from the Commission so I guess that was more of his politics.

Vice Mayor Anderson: Mayor, may I offer a suggestion?

Mayor Lago: Yes, Madam Vice Mayor.

Vice Mayor Anderson: If you have your City phone with you right now, look to see if you have a hold on your calendar for this meeting.

Commissioner Fernandez: I do not.

Vice Mayor Anderson: Have you looked?

Commissioner Fernandez: I have looked.

Vice Mayor Anderson: Right now.

Commissioner Fernandez: I just checked my calendar before I got here. So, unless it was added now as I'm sitting here and I'm saying that it's not on my calendar, it wasn't on my calendar this morning because I went through my calendar check this morning.

Vice Mayor Anderson: Then I'd ask for staff...

Commissioner Fernandez: In fact, we don't even have the -- Don Slesnick was here speaking about the meeting for the Charter Review Committee. I had asked that that be added to our calendars. It's still not in our calendars. And that was scheduled five -- four or five weeks ago.

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Mayor Lago: Commissioner, if I may, Vice Mayor, if I may, I just want to apply the rules. If we could have a mo -- if there's no other further questions for staff -- sir, would you mind -- you mind taking a seat? Thank you very much. I appreciate you being here. If there's no other questions for staff, I will entertain a motion and a second, and then we'll move into discussion amongst the Commission and debate. Any other questions from staff? Will the sponsor of...

Commissioner Castro: I move it.

Mayor Lago: This item move the item?

Commissioner Castro: I'll move it.

Commissioner Fernandez: I'll second.

Mayor Lago: Okay. Mr. Clerk, alright. Would anybody like to start the discussion?

Commissioner Castro: Sure.

Mayor Lago: Go ahead.

Commissioner Castro: Mr. Clerk, I sent you a document and it was -- if you could please present that document.

City Clerk Urquia: If cable TV, share my Zoom on. There you go.

Commissioner Castro: That's perfectly fine. That is a letter that Mr. Fernandez went and spoke to the business owners and he had it signed regarding the TVs if they had any inconvenience and this was at the beginning. This is a letter, I believe that the City Attorney, Peter Iglesias, the City Manager back then, and I believe our Mayor also saw. And this was -- right there, they're all signed.

Mayor Lago: If I may, I did get a copy of that by email.

Commissioner Castro: Oh, beautiful, beautiful. After this, I wanted to get some confirmation myself, and I -- as I said before, I went on Friday and everybody -- in fact, in fact, let me put on the record some of the comments of the places I went to go see so that we can understand a little better, okay? Okay, Ceviche Divino, spoke to Manager Claudia. She doesn't care if they even have five TVs. When people go watch things there, they drink and they go eat in their restaurant. So, they're greatly in support of the TVs. Candle Land, she doesn't have any reservations. Okay, Janelle Bagger from Coyo Taco, everything that brings more clientele, they are happy with. So, they're in support of the TVs. And basically, that was the -- that was like the basic comment.

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They feel -- most of the restaurants and stores there feel that you bring more clients. And when there's events and people don't eat in your restaurant, they seem to drink more. The rest of the staff -- the rest of the restaurants are getting more clients. And I know this is something that we've been dealing with, trying to bring more people in. And thank you very much, Fernando, for being part of that solution.

Mayor Lago: Anyone else on the Commission would like to make a statement or comments? Madam Vice Mayor?

Vice Mayor Anderson: You know, I'm in favor of the TVs, but as with most things, and someone taught me a long time ago, the devil's in the details. So, we have a business owner here that's willing to sit down and talk about some of those details and how we can reach a resolution that keeps both business owners happy so we don't have screens in the middle that obstruct the view for everybody. I think there is, you know, measures that we can take that will be beneficial for both businesses and all businesses and get more foot traffic in there. So, as written, I can't support this, but if we tweak this a little bit to resolve these differences of opinion, I believe that we're going to be in a better place. So -- and Commissioner Fernandez, you know, all of us were reached out to with regard to the scheduling, you know, and I asked specifically to put a hold on my calendar, you know, and when I look at the invitee list, you know, Commissioner Castro is also on there. So, I mean, I -- you know, I understand that there's some issue with scheduling, but to blame someone that -- else other than the scheduling person themselves, you do need to look at these things and ask that they be placed on your calendar sometimes if you're interested in participating. I don't participate in every single thing because I don't have time to possibly participate in every single thing. I participate in the ones that I think are the most important. I can't make it to every ribbon cutting. It's impossible. So, yes, I'm in favor of the TVs. However, we need to have a meeting in order to determine if we need to tweak the ordinance, to tilt the screens, or put other measures on there that will keep everybody happy and benefit all the businesses on Giralda Plaza.

Mayor Lago: Commissioner Menendez?

Commissioner Menendez: I have no comment.

Mayor Lago: Commissioner Fernandez?

Commissioner Fernandez: I want to thank both of you again for being here. And, Mr. Durazo, I thank you for also trying to find a solution that works for your business and does not impact the business across. I think that's what we need to see more of, people who are willing to find solutions that will take care of the issue for them. And I think the next step has to be finding a way to codify something that solidifies the solution that you have. What I would also like to do, I'm going to be meeting with you, but maybe the three of us can meet at some point on site and just talk through some of the issues and maybe just work through any other issues that may be taking place so that

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we can find a path forward. The other thing I would say is this March 20th meeting, I think, should not be specific to a TV issue, but should be related to all issues affecting Giralda. Commissioner Castro has brought up the issue of business on Giralda many times. I've been approached by many of the business owners about trying to generate more traffic. I know we're cutting the ribbon for the new art piece; I think it's March 22nd. So, that should start bringing some people back. I saw the final rendering. It looks like it's going to be a great piece to add to Giralda for those two months. But we have a very dedicated group of business owners on Giralda that are all looking forward to making each other successful because they understand each other's success means they're successful as well. And Vice Mayor, you mentioned this is the focal point that attracts people to Giralda. I've seen many people walking by, they see the TVs and they're attracted to walk to Giralda and to see what's going on there. I've mentioned it before, I'm somebody who, I'm a sports fan and I love to sit, have dinner and watch a sports match, that's something that I do. And in the past, I have been at your establishment to peek through to see the TVs at his. So, I'm one of those anomalies that is attracted to yours because of his, so I'm in favor of this. I think that this is a first step towards improving what has kind of been left out there for business owners to fend for themselves. Next issue we need to tackle is yours. And March 20th, what I would like to see is a meeting that addresses all issues affecting business owners on Giralda.

Mayor Lago: Anything else?

Vice Mayor Anderson: I have no objection to a meeting on all issues.

Mayor Lago: Go ahead, sir.

Mr. Durazo: I think that a lot of the people in Giralda are not in front of the TVs. So, I appreciate going out and asking everybody, but nobody is in the same position that I am. I'm very respectful of Fernando's business, and that's why I have never, ever went to his business and asked him to do anything, because I know he has a formula, he has his TVs, he has to, you know, make it work, and I respect that. However, the way I responded was respecting his needs, I never did anything against him, and find a solution that doesn't affect anybody, and at the same time, protects my business. So, in the process, just have that in mind that you're affecting a business that has been there 15 years. If you change the experience of my guests, I'll be going out of business.

Mayor Lago: Thank you, sir.

Mr. Durazo: Thank you.

Mayor Lago: Thank you very much. Please pass a -- please keep a memo and pass it along. I owe -- Mr. Manager, I apologize, I owe you one. If not, I wouldn't have one before me. So, Mr. Clerk, and I apologize because I've never handed a memo on -- that I can remember in a long time on the Commission floor. I've just been working on this for some time. Mr. Clerk, I want to answer a few things first that were -- that were stated -- that were stated here on the record. Number

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one, the issue of Robert's Rules. I welcome refinement of Robert's Rules, sitting down, having a conversation, you know, bringing somebody in. I think it would be great. We can only get better in the process. I spent -- how many meetings did we have? -- I think at least two meetings this week to address Robert's Rules and the process to make sure that we ran through it as seamlessly as possible here. Number two, in regards to the planters and the trees and that discussion, this has been going on since the moment Giralda was constructed, along with -- along with Miracle Mile. The issues are very clear. It's a maintenance issue. It's the fact that I am 100 percent in opposition of planters and screens and all that kind of stuff because it just puts people in silos and it doesn't allow the free flow and the beauty of why we spent over \$20 million in Giralda to showcase itself. To me, having everybody confined in their own little space in a box and owning that box to me is not the intent. And I think it becomes -- it just takes away from the beauty of -- of these two spaces. I think it also becomes an ADA issue as mentioned by -- by the Vice Mayor. In regards to the sponsorship of this item, this is the first time in the City's history that I'm aware of, that I'm aware of, that an item was sponsored by an elected official. And I tried to find through the Clerk and through the City Attorney, that an item was sponsored by an elected official, and in between first and second reading, it was taken away. We don't have in the charter the same provisions that the County has, which requires respect amongst Commissioners on that front. You can just go and take somebody else's. I've never seen it done before. This is the first time it happens. But this -- this piece of legislation -- and I will ask the City Attorney to basically provide more guidance -- is less than six months old. We've been working on this. We have legislation here that took years and years and years to come to fruition because it was ever evolving. You know, these things evolve. Certain things that you present today and that you review today, maybe you don't want to actually enact into legislation in the future because it just doesn't make sense or it doesn't work out the way you think it was going to work out. That happens all the time. So, to say that a piece of legislation takes time, it's normal. But I welcome -- I welcome the conversation. So, let's go over this memo. I think it's important to memorialize this because there's been a lot of things that have been said that are inaccurate and that they're not correct and I want to put them on the record. And I don't blame anybody. I just think, again, people maybe are confused on the issue. I don't think there's any malice or intent to get -- to do something. So, Mr. Clerk, if you could. So, and by the way, I'm going to make this part of the public record so that everybody can have a copy of it. Recently, there's been a slew of misinformation disseminated by paid online blogs. The purpose of this memo is to debunk inaccuracies published by these blogs. The downtown business community stands at a pivotal -- stands at a pivotal component of the City's overall health and vitality. I apologize, I don't want to wear glasses, but it's time I start wearing glasses.

Vice Mayor Anderson: (INAUDIBLE).

Mayor Lago: I'm actually waiting to go pick them up. Over recent years, I have made a concerted -- concerted efforts that have been channeled into legislation and initiatives aimed at invigorating our downtown area. And I'd like to give you a few. These initiatives include downtown cleanup events, the upkeep of storefronts, window wrap ordinances to maintain our city's aesthetic integrity and uniformity, outdoor dining and legislation, which is very key for Giralda and for Miracle Mile,

the hiring of additional police officers to ensure a safer downtown, and the renovation of Miracle Mile and Giralda. That happened when I was recently elected. During my tenure, these efforts underscore my commitment to creating a vibrant, attractive downtown that benefits both businesses and the community at large. I want to stop there. My colleagues on this Commission, maybe outside of Commissioner Menendez and the Vice Mayor, they don't remember the way that Miracle Mile was, Commissioner Menendez. They don't remember having 30 percent vacancies. They don't remember having empty storefronts on Giralda. They did as patrons, as residents, they did, but not in regards to an elected capacity. That doesn't exist anymore. We have invested money and we've invested time. So, however, maintaining this vibrancy requires more than just promoting businesses. It is also -- necessitates addressing complaints and violations in a fair and constructive manner. A case in point involves the location at 180 Giralda, known as 77 Sport Bar, has experienced a series of code violations since 2022, ranging from unauthorized projection screens to TVs and windows. And I will show you now the pictures. These issues have not only drawn complaints from residents, but also from fellow merchants, highlighting the need for a balanced approach to maintaining both business interests and community standards. Similarly -- similarly, excuse me, concerns have been raised regarding the property at 2299 Ponce de Leon, also known as Talavera, such as instances remind us of the importance of engaging all stakeholders in dialogue and problem-solving efforts. It is crucial to act in a fair manner, thoroughly gathering all relevant data and directly communicating with the businesses involved. Moving on to the next picture. I understand that it is important to strike a balance and seek solutions that accommodate the needs and concerns of all parties involved. I still continue to stand in support of having outdoor TVs in businesses. That has not changed, but my ideas have evolved. With regards to 77 Sport Bar on Giralda, the landlord came to meet with me on various occasions during my open door office hours and explained the issues that they were experiencing relating to code enforcement issues, citations for outdoor television on windows. As a good faith effort, I asked our City Administration to pause the running fines this property was accruing while the matter was being investigated and we refined our legislation. I sat down with the building owners. I sat down with the tenant. I sat down with staff and I said, listen, I don't know what's going on here. They've had these TVs for some time. Now they just got fined. I thought that they were legal. Let's sit down and find some sort of common ground to see if we can either legalize this and have it go through the process. We stopped their fines. This is not heavy handed. This is not threatening. This is not pushing somebody to do something. We stopped their fines over six months ago. Notably, our approach to addressing these concerns has been both direct and inclusive. For instance, on Saturday, October 14th, 2023, Economic Development Director Belkys Perez engaged in person with Mr. Durazo at Talavera regarding the placement of screens in his sidewalk café area. This was followed by a meeting between Mr. Durazo and myself, remember? On Friday, October 20, '23. That's on my calendar. Additionally, from December 21st, 2023 to January 8th, 2024, the Economic Development Department conducted a poll. And this is where we get lost. This is the crux of the matter. This is why facts matter. This is why statements like threats and statements like going back on your word or the things that were said, those are not the reasons why you look at a piece of legislation like I have done before in the past. And I can point to my colleague on the left just recently did in regards to one of his pieces of legislation. You got

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to take a step back, reassess, and say, what do we do moving forward? That legislation I'm talking about is shutters on existing homes. We had a good debate on the floor, we talked about it, the item will come back or it won't come back, depending on what -- how that legislation evolves. So, as I mentioned -- let me find my spot, I apologize. Economic Development Director engaged with Mr. Durazo, and I met with him. Okay, additionally, from December 2021 through 2023 through January 8th, 2024, the Economic Development Department conducted a poll among Giralda merchants to solicit their feedback on the aesthetics of Giralda Plaza, further demonstrating our commitment to inclusive decision-making. The results of the City Administration poll concluded that Giralda merchants were not in favor of allowing television screens to face out towards the Giralda Plaza. Contrary to this poll, the owner of 77 Sport Bar disseminated their own poll, as my colleague showed a few moments ago, which presented conflicting data. So, why did we have a meeting? The meeting that was mentioned before. So, recently on February 5th, 2024, I called for a meeting. The City Manager, the Assistant City Manager, the assistant -- excuse me, the City Attorney, the Economic Development Director, 77 Sport Bar owner, Fernando Yanes, property owner, Fernando Naranjo, and I met at the City Manager's Office to discuss the use of the TV screens by 77 Sport Bar. We wanted to compare the two documents that were provided, one by the owners -- the polls -- one by the owners of 77 Sport Bar and one that was done by the City, which I have attached to this. And we wanted to come to an understanding and a conclusion, why do we have conflicting information? Why do we have conflicting information? How do we move forward? On second reading with the legislation that I have, his document was about 80 percent in favor and our document -- Belkys, please correct me if I'm wrong, I have it on another page here, you'll see it now -- was around 85 percent against the TVs. So, how do you move forward knowing that you have 85 percent of an entire street that was explained by our staff, by our staff, and they say we don't want the TV. And I have also spoken to people on Giralda, as of late as yesterday, that I ran into one of the owners, and I'm not going to mention the name because I don't -- because people are nervous about putting their names out there. And they said, look at the poll conducted by the City. It's very clear where people stand. Presently, staff has scheduled a meeting for March 20th with all stakeholders on Giralda to understand the concerns of the merchants and business owners from that area and work together to address any issues. As we move forward -- and let me take a step -- let me just stop there. When we were in that meeting with the gentleman who's standing in front of me, everybody left that meeting happy. We were going to have another meeting. We were going to get to the bottom of it. We're going to say -- he even told me, please don't take away my TVs for Super Bowl. And I said, we would never do that to you. That's the biggest day of the year. We would never take that away from you. And he was able to have his TVs up for the Super Bowl. So I said, let's sit down with staff, let's have a conversation, let's sit down with the other business owners on Giralda because we got to find out why we have competing polls. As we move forward, it is imperative that we continue to foster an environment where businesses can thrive while also respecting the standards and expectations of our community. The upcoming meeting with merchants represents a valuable opportunity to reinforce this commitment, encouraging open dialogue and collaborative problem solving. By doing so, we not only address immediate concerns, but also lay the groundwork for a prosperous, vibrant downtown that benefits everyone, not just one person. In

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conclusion, the vitality of our downtown business community is inextricably linked to how we handle complaints and violations. By approaching these issues with fairness, thoroughness, and a spirit of cooperation, we can ensure that our downtown remains a thriving hub of activity and community pride. Let us continue to work together and embrace both challenges and opportunities that lie ahead for the betterment of our city and all its inhabitants. So now, I'd like to continue moving forward with the presentation. Here what you have very clearly is the list of the violations from 77 Sport Bar. They're all right here, every single one of them, okay? And then here you have the list from Talavera. Everybody's included, I will give you a copy of this. This was taken from public record and it was done by -- given to me by staff. And then you have both Talavera and you also have our friends at 77 Sport Bar. Okay, let's move on to the next. I would like for you to see this at night and see how it looks. This is what was sent to me by a resident. This is where I think Commissioner Menendez is correct and where we make -- where we make a possible finding of a solution. Maybe we don't allow the TVs at night. Maybe after a certain time they turn off. And they -- that alleviates your concerns and also ensures that we don't have a wall, which is now going to be shown in the next photo. But to me, seeing what Giralda is, that to me is not representative of what I want to see on Giralda. Imagine if all the businesses started doing that or started doing that with advertisement now. I think it would be a nightmare. It would look like New York, and I don't think that that's what we want for our community. And as you can see, you can see the screen here. I know it's a little difficult. You can see the screen from Talavera, and you'll see it in the next picture. So, if you go to the next picture, this was sent to me by a resident. And that is where people are walking along with what Commissioner Fernandez said on the other side of 77 Sport Bar. But if that wasn't there, you would have multiple different walkways, which I think was the intent of Giralda. We want to make it something where air flows, where people can walk freely, where people are welcome. Not something that, again, I said, Lincoln Road, with all due respect to Miami Beach, I don't want to see boxes. I'm not about boxes. I'm about seeing something great, open, that highlights the beauty of our city. That to me, when you throw in 77 Sport Bar's umbrellas, which are perfectly fine, over -- along with the wall, it just doesn't look good, in my opinion, and I think in the opinion of many. Moving on to the next slide. Here are more pictures that you can see of the light along with the wall. Next photo. And I think this one here is even -- you know, demonstrates even further how intrusive the light is for not only Talavera, but to anybody who's walking by. I'm 100 percent in favor of the TV. You want to have the TVs on Saturday during the game, you want to have it during the week, watching soccer, that's perfectly fine. We'll figure out a way. We'll turn them off at 5, we'll turn them off at 6 o'clock, we'll turn them off at a certain time. Again, this has nothing to do with I'm against the TVs. This is about doing things the right way when you're presented with two competing polls. And while I respect the gentleman from 77 Sport Bar, he handed me a poll, handwritten. Belkys Perez works for the City, and she handed me a professional poll that was done and was filled out by almost all, if not every single one of the members of Giralda. Next item. Here is an example of the poll that Commissioner Castro put up. And here's -- moving on to the next item. Here's an email, talking with staff in regards to the brightness on -- requesting that we have the meeting, and that's after the meeting -- excuse me, this is after our meeting, and I apologize because I can't see that close. This is an email that talks about the -- you know, in response to

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after our meeting, and it gives you a synopsis of what we talked about. And it talks about where do we go from here, what is the intent, who was in the meeting, what came out of the meeting, what's our next step. Let's go to Giralda. Let's get together with all stakeholders. Let's have a conversation. If Commissioner Fernandez wants to include a conversation about other issues that are concerning on Giralda, I welcome it. I have about 10 that I will add to that. We should, if we have everybody together in a room, it should be open forum. But first, let's at least address this issue. So, if you see there, all of the proper protocols are followed. We're trying to memorialize and do everything in a way that addresses the concerns and finds a path moving forward that builds community, that doesn't peg you against him or him against you. Because that's the conversation that we had, remember, in my office. The exact conversation we had. That I said, I support, but we need to find -- I didn't know that you were going through this. And I literally that day, I think it was the day that you and I met, was the day that I got that photo from a resident. And I said, look, I just got this. So, I understand what you're going through. And at the end of the day, people don't want to sit outside because I've spoken to people that say, I don't want to sit outside at Talavera. But again, that's his business model. His business model is different than yours. And by the way, what you're doing is against the Code and what you're doing is against the Code. Bottom line, even if nobody caught you for four years, it's still against the Code. It doesn't matter. So, if I do something and I break the rules at my house and I build a structure that's illegal, guess what? You're still going to take that structure down, even if I built it and nobody caught me for four years. Madam Zoning Director, am I correct or am I wrong? Please put it on the record if you don't mind. If I build an illegal structure and nobody catches me for 10 years and it's encroaching a setback, my neighbor's setback, what has to happen?

City Planner Garcia: Well, you have -- either try to permit it and zoning may do it...

Mayor Lago: No, but I want to -- I want to prove something on the record because it's been an argument that's been used multiple times that says, no, but it's been there for four years and no one has said anything. It's still wrong.

City Planner Garcia: Correct, yes.

Mayor Lago: It's still against the Code.

City Planner Garcia: Right.

Mayor Lago: Okay, so I lost control of this legislation when my fellow colleague to my right decided to -- to -- to basically appropriate that legislation from me while I was still working on it. I think the best thing is we move forward in a way that finds consensus. It doesn't use blogs. It doesn't disseminate information that's false. I never had any intention of taking this gentleman's TVs away. It's proven, I told it to you very clearly, Mr. Owner of Talavera. And I have one last statement that I want to put on the record, okay? Something that I was thinking about and some things that we drafted this morning. In recent times, our community has been navigating through

a sea of misinformation from online blogs. The purpose of the memo was to clarify the misunderstandings and to reaffirm our dedication to transparency and accuracy in our community, especially in our communications. The challenge faced by businesses such as 77 Sport Bar and Talavera have underscored the necessity of engaging in a dialogue and finding balanced solutions that respect the diverse perspectives within our community. Our strategy has constantly been to include all stakeholders in these discussions, striving for outcomes that uphold the values and expectations of our community. It's undeniable, it's documented in emails. We've spent time with staff to make sure we get -- everybody has a voice. The intent behind the memo and the ethos guiding our Administration is to highlight the critical need for scrutinizing the information we encounter. Just because you send me a document that says that everybody's in favor, and I contact certain people on that list -- I'm not going to read their names out of respect for them -- and tell me, I am not in favor of that. But certain people were in favor of it, and you're correct. And by the way, almost everybody's in favor against what you -- what you have there. So, I'm not siding with anybody, but I know that you're reacting to this gentleman's thing, and I respect that, and I understand that. But we can't just fight fire with fire. At the end of the day, we destroy the beautiful asset that we have. Misinformation can undermine the unity and progress of our community, making it an imperative that we approach information with a critical eye. As we look to the future, our aim is to sustain the vibrancy and safety of our downtown area, ensuring it remains aligned with the aspirations and values of our community. This endeavor calls for ongoing dialogue March 20th. And if March 20th doesn't work for my colleagues, we'll do it in April. We'll do it in the end of March. Collaboration and a mutual commitment to transparency, honesty, and addressing the issues we face. What I'm asking my colleague, the sponsor of the legislation on second reading, because I sponsored it on first, is coordinate with staff, look at your schedules, let's have one final meeting with Giralda, which is already in the books since the beginning, the thought, the processes. I'm not bringing anything new. Let's have this conversation, like Commissioner Menendez says, and let's find a solution for something that has become a problem that is unnecessary. Thank you very much, and I appreciate you listening to me. Thank you.

Vice Mayor Anderson: Through the Mayor...

Mayor Lago: One second.

Vice Mayor Anderson: I just have one question for all of you.

Mayor Lago: Yes.

Vice Mayor Anderson: Including you, Commissioner Castro, so that we can try to -- try to reach at least an interim solution that will satisfy the needs of both businesses. In mediation, you...

Mayor Lago: May I just say something? And I'm sorry to interrupt you. I know the City Attorney is going to get mad for me interrupting. She told me you can't interrupt anybody. Don't interrupt

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anybody. But there is a solution. They can move on as they go. They can stay as they go until we resolve the issue.

Vice Mayor Anderson: I'm going to try to split the baby so to speak.

Mayor Lago: Okay, sorry for interrupting you, I apologize.

Vice Mayor Anderson: It's okay, it's okay.

Mayor Lago: She's going to reprimand me later. The City Attorney is going to reprimand me later.

Vice Mayor Anderson: No, no, no.

Mayor Lago: No, not you, the City Attorney.

Vice Mayor Anderson: I mean, this is an effort to try to find a happy medium until we can meet and really flesh out the issues and look for longer-term solutions that keeps the intent of what we're trying to accomplish in mind without distracting on the overall beauty. My suggestion is, you know, and I would need input from you all, is an interim. Because what we're talking about here is, you know, these glaring lights at night, okay, and it's mainly a night issue. Correct me if I'm wrong. If we can -- would it work, if until we can have this meeting on March 20th or any other day, because we have our next Commission meeting right after that is April 12th, use the TVs during the day and turn them off at night. Would that work? Is that an interim solution for this next -- it's less than a month. We're talking -- I think it's less than a month, a little over a month. You have your March 20th meeting, unless you all have time to do it earlier. Let's flush out these issues. Let's see if we can do the best for all of our businesses in the interim. And then after that meeting, see if there's something that we can do with the TVs, even at night, that resolves this issue.

Mr. Yanes: Thanks, Mayor. One of the points that has been missing in this conversation is Talavera close at 10 p.m. I'm staying over at 12 and 2 a.m.

Vice Mayor Anderson: Right.

Mr. Yanes: So, the issues that they have, if they have it for a couple hours, is a situation that maybe you can address and point it out right there. Because it's not like he's been suffering the whole day because the lights and whatever, they (INAUDIBLE) and all that. And another point I would like to leave on the record is on the poll were conducted by the City came after I bring my poll handwriting by business owners or business managers. As an anonymous, I never received it even. So, if you go about (INAUDIBLE) and say 85 percent of that poll, that is 12 people anonymous, say no, until 14 people handwriting and bringing it here, it's 100 percent. Because

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there -- two of them, they have 16 people from the 26 that were asking in favor of this situation. So, I just want to leave on the record that, too.

Vice Mayor Anderson: So, it's clear we have two competing polls, okay. And I think when you get everybody around a table, we can flush those things out. So, you're playing the TVs from 10 p.m. on.

Mr. Yanes: Yeah, and I believe this, I hope, to the majority of this, have the conscience to be really have a -- find a happy medium and work it out for both of us, which is are -- the ones -- by your statement, we are the one that welcoming everybody in Giralda, but not be shutting down and threaten as be shutting down for this situation, okay? It's really important.

Vice Mayor Anderson: Yeah, no desire to shut you down.

Mr. Yanes: Of course.

Vice Mayor Anderson: You know, I don't know...

Mr. Yanes: I know it's not your desire.

Vice Mayor Anderson: I don't know if you replay games that started a certain hour earlier because some of us don't always have time to go watch them at the time that they're playing. I don't all the time, and looking at the games afterwards, it's fun. But I don't know if that works for both businesses if you shut down at 10 o'clock.

Mayor Lago: Madam Vice Mayor, if I may, let's keep the debate amongst the Commission and then let's make a decision. I'm of the belief that we leave it the way it is and we have a conversation with the community because I think we're not -- we haven't been able to find middle ground. We're going to have to find the middle ground. We're going to have to say, listen, this is the way it's going to be. And the only way to do that is by just, like I said, speaking to all the businesses in an open forum. And by the way, Belkys should come up here because -- and I think it's important to respond to the gentleman in regards to the poll that was done. I think it's important.

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: Go ahead, sir. Go ahead.

Vice Mayor Anderson: That's why I ask questions, to learn.

Mr. Durazo: We close the kitchen at 10 o'clock.

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Mayor Lago: Yes.

Mr. Durazo: The restaurant stays open until (INAUDIBLE).

Mayor Lago: Okay. Thank you.

Mr. Durazo: And the other is the poll should be with the business owners, not with the managers.

Mayor Lago: Yes.

Mr. Durazo: Managers are employees that might be there today, might not be there tomorrow.

Mayor Lago: Thank you, sir. Belkys, will you please? Who did you use to -- who did you use to -- to -- to survey in regards to the poll that we did?

Economic Development Director Perez: We have a database of Giralda merchants. That is how we communicate with them, whether we have meetings with them, which we have monthly meetings with them. Anything we do, we communicate through that database. So, we sent it five times to everyone on that database and...

Mayor Lago: Owners -- owners or --?

Economic Development Director Perez: Business owners.

Mayor Lago: Okay, good.

Economic Development Director Perez: And property -- and managers also. It wasn't -- it's not just one person. For example, I think Talavera has the owner and a manager as well. Fernando, only himself, but they received it five times. This came up in the meeting. We told you that it was part of another one. Sometimes we group things together so we have information. We had the poll information as well. We had a meeting that we set up with our Giralda merchants and you came that day to the Giralda merchants meeting. So, that -- it's under that same email.

Mayor Lago: So, he says he didn't receive that email. Do you have proof that he received that email?

Economic Development Director Perez: I don't have receipts. I don't have email receipts. But we do have emails that show that...

Mayor Lago: And how many people responded?

Economic Development Director Perez: We had 12 -- to what, the poll?

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Mayor Lago: Yes.

Economic Development Director Perez: Twelve.

Mayor Lago: Okay. And the outcome was 80?

Economic Development Director Perez: It was 10 for it and 2 against it.

Mayor Lago: And for it in the sense of?

Economic Development Director Perez: I'm sorry, 10 against it, 2 for it.

Mayor Lago: So, 10 against the TVs, 2 for.

Economic Development Director Perez: Yes.

Mayor Lago: Okay. So, thank you very much. So -- Commissioner.

Commissioner Menendez: So, this is an ordinance, first reading and second reading.

Mayor Lago: Second.

Commissioner Menendez: We're on second already.

Mayor Lago: Yep.

Commissioner Menendez: Have the two of you had the opportunity away from government and away from elected officials to sit down, have a beer or tequila, and try to find a solution amongst the two of you without the circus? I strongly suggest that you try that because it's like planning a vacation for two people and you're trying to get everybody in the city to be involved to plan your vacation. And I would love for the two of you just to sit away from all of us and see if you can work it out.

Mr. Durazo: I am all for it. I have not done it because, you know, I leave these decisions to the authority because it has to do with Code Enforcement and all those things so...

Commissioner Menendez: I see your demeanor, see your demeanor, both gentlemen, I think away from the cameras or the spotlight, you two could probably come up with Option A and Option B.

Mr. Durazo: Correct.

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Commissioner Menendez: And we don't interfere with the two of you. And then that we get an answer and we move on.

Mayor Lago: Commissioner, if I may, just to -- while I value the option, this is a Code Enforcement issue. This is an issue where the Code needs to be changed or upheld.

Unidentified Speaker: Correct.

Mayor Lago: Again, like I said in the beginning, I'm not against the TVs, but why are we -- we always say constantly, let's get as much input from the community as possible. We have dueling polls. I'm of the belief that, like Commissioner Fernandez said, let's sit down with everybody and let's use this opportunity to have issues dealt with with alleys, issues with cleanliness, issues with lighting, issues with whatever that may be, parking, you know, concerns, safety, whatever the concerns may be, you can flush those out in a meeting with all the merchants and the business owners. I think that is the right way of doing things. Commissioner?

Commissioner Fernandez: Could we go to the Mayor's presentation of Figure Number 2? I know there's two Figure Number 2s, so it would be the second one.

Vice Mayor Anderson: You know what page that's on?

Commissioner Fernandez: There's no page numbers. I think one, two, three -- so, it's the one behind the graph or the chart, the Excel sheet. Next page. There. Can you zoom in on that a bit?

Commissioner Castro: There's no lights.

Mr. Yanes: The lights are off.

Commissioner Fernandez: I think the biggest issue that we have in this area is not the brightness of the TVs, but the lack of brightness from the lights. When you have lighting in the area -- if we were to turn off the lights in this room right now, those TVs would be extremely bright. But the fact that there's lighting in this room, we can all tolerate the lighting from these TVs. I think that's part of the problem, and it's a problem throughout Giralda. As a city, we're not lighting Giralda properly. And I think that's our problem. That's something we need to fix because we're relying on you and you as business owners to turn on your lights to light up the street for people to walk on. And I think it's a safety issue. And I think that's something that we're going to need to look into to make sure that it is properly lit. ADA, you know, these are -- this is not a flat surface. These are tiles or bricks. So, I think lighting is the number one issue.

Mr. Yanes: That picture is showing that lights in Giralda are off so it's not accurate.

Commissioner Fernandez: But a lot of times they are off because I know I've been there a lot of times, and especially in this strip here, there's less lighting.

Unidentified Speaker: Most of the time, they're off.

Commissioner Fernandez: Yeah, this strip here, closer to you guys, there's less lighting. There's more lighting on the other end of Giralda.

Mayor Lago: That was the night there was an FP&L issue. There was an FP&L issue, and I used this photo -- I used this photo because it shows you the brightness, the brightness. There are other -- when you drive by -- when you drive by and I've walked it and you see the lights when they're on, even with that, that's the reason why you put up that wall, because even when the lights are on, the TVs still bothers you. That's what you told me your clients, and that's what other individuals have said is the issue.

Mr. Durazo: I'm totally open to anything, and I'm also empathizing with my neighbor. The only thing I have to protect are my customers, that they've been there for 15 years with a certain experience, and that experience has -- we changed that experience to -- not to the better, but something they don't like. So, that's -- as long as I can protect my customers and maintain that experience, I'm totally open.

Mayor Lago: Commissioner...

Commissioner Fernandez: A point...

Mayor Lago: Wait one second.

Commissioner Fernandez: But I wasn't done.

Mayor Lago: Go ahead.

Commissioner Fernandez: You interrupted. There's a tree stump there, close to Talavera. I've tripped on that tree stump because of inadequate lighting. Right there, if you look at where that person is standing, there's a beam of light coming out of Talavera. There's a tree stump right there. The tree has never been replaced. I had asked the Manager to look into it. I don't know if he ever got to that point. But lighting is a problem on Giralda at night. And that's something that as a city we need to look into. Because using this picture to show the amount of light, knowing all too well that FPL had lighting issues that night is disingenuous because what you're trying to show is how bright the light is on the day that there's no light all over the place. I mean, come on.

Mayor Lago: Commissioner, if you may, just one second. Listen, Mr. Clerk.

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City Clerk Urquia: Yes, Mr. Mayor.

Mayor Lago: Can you go --? There's another picture.

(COMMENTS MADE OFF THE RECORD)

Commissioner Fernandez: Well, now they have that -- have the screen back up to the picture because now it shows a dark room.

Mayor Lago: Again...

Commissioner Fernandez: You can see the brightness.

Mayor Lago: There's no -- there's no -- there's no need. We're trying -- we're trying to find a resolution here. The idea of -- the idea of insulting somebody as all I've been is to try to be up front and put something -- everything together.

Vice Mayor Anderson: We could do a night meeting.

Mayor Lago: You can call it whatever you want. At the end of the day, try to keep this as professional as possible. This is easy. This -- the reason I was very clear I'm the one that said we use this picture because I wanted to show you how bright it was with everything. This gentleman came to me. Again, if you don't want to -- if you don't want to address the issues, perfectly fine, then let's just vote on the issue, let's move forward. But you came to me and said my clients do not want to sit outside due to the brightness. Don't take it from me. Take it -- I want you to tell them what you told me. Not me, why did you say it? Why did you come to me and say, hey, listen, people do not want to sit outside because how bright it is? Is that the case? When the lights are on outside, is it still an issue? When the lights are on in Giralda, is it still an issue, the gentleman's TVs?

Mr. Durazo: Yes, of course.

Mayor Lago: Okay, so it's not an issue about being disingenuous or not. I'm the one that told you about there was a -- FP&L was out for 15 minutes. My point is you have concerns and 10 merchants have concerns as per the poll. If you want to move forward, then let's -- you have a motion on the floor. We can move forward. You have a second. If there's no other conversation, that's it.

Commissioner Fernandez: I'm not done.

Mayor Lago: Well, then keep going.

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Commissioner Fernandez: But I'm not done. You mentioned -- you mentioned a couple other things that I just wanted to touch upon. You like to say that, you know, we're attacking you, but you were the one that just a couple minutes ago said in your remarks that two of us up here don't even remember what it was like. I was on the Property Advisory Board at the time that this was approved. So, I do know what it was like and I was part of the process of advising the Commission on how to proceed with this. The second item was that you have never seen in your time here, somebody take a piece of legislation; that's not correct either. Two meetings ago, the Vice Mayor placed an item on the agenda on leaf blowers because I hadn't brought it back.

Vice Mayor Anderson: No.

Commissioner Fernandez: And she had a presentation done a second time. So, this is something that's happening. The problem is you don't like it when it happens to you.

Vice Mayor Anderson: With all due respect...

Commissioner Fernandez: Two meetings ago, outside in that chamber, you said I needed to stop co-sponsoring the item that you have later in this agenda regarding White Way Lights because I was riding your coattails. I'm sorry, Mr. Mayor, I don't need your coattails. I have my own.

Mayor Lago: That's right.

Vice Mayor Anderson: Now, Mr...

Mayor Lago: You do.

Vice Mayor Anderson: Commissioner Fernandez, with all due respect, this Commission prior to you being elected had brought a leaf blower issue and that was merely an update on that leaf blower issue and to provide us additional input so we can make a decision whether to move forward. I did not sponsor your legislation. I did not move your legislation one way or another. That was a factual update as to what our city has done and input from other communities. It's the same issue. It's all about leaf blowers. You can decide whether you want to bring it back. I didn't put it on the agenda for a vote. It was an update for our Commission because we hadn't heard back from staff who said they were going to come back to us on our city's progress going on to leaf blowers and information that would be valuable for us, you in particular, as the sponsor of the one that would apply to residential properties, as to whether you wanted to move forward on it. No attempt to appropriate your legislation. It was the intent of the Commission prior to your election to go step one, let our city change how it does its practices first, just like we did with Roundup, okay, and we stopped using Roundup. But we haven't taken the second step to prohibit it throughout our city because of other concerns that exist, just like we've had with plastic bags, on preemption, and things of that nature. So I think you've mischaracterized a simple update into something that it's not. So...

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Commissioner Fernandez: I won't answer to it. All I'll ask is for the Clerk to ping back to the comments that the Vice Mayor said during that item when I asked when she said you hadn't brought it back, that's why I did.

Vice Mayor Anderson: Okay.

Commissioner Fernandez: So, that's all I'm going to ask for.

Commissioner Castro: Through the Mayor.

Mayor Lago: If I may -- Madam Commissioner, let me just respond to my friend, Commissioner Fernandez. I asked you -- I asked you to not please co-sponsor, because at the end of the day, what I'd like to do is for you to stand on your own two feet. I'd like for you to be here after one year and pass your first piece of legislation. I have been -- this is something I've been working on for five years, for five years, and I just said, let me handle it. You know, obviously, we see -- we do not see eye to eye. I want to be as respectful and professional as possible. Again, this is the first time I see an actual piece of legislation on second reading in almost 11 years from somebody who was working on a matter and we were proactively working on it. Because you know that we said -- we left that meeting saying we're going to have a meeting with all the Giralda owners, correct? Did we not leave that meeting saying we're going to have a meeting with all the Giralda owners and you were perfectly fine with it?

Mr. Durazo: That's what you asked to...

Mayor Lago: But you were fine with it and Fernando was fine with it also.

Mr. Durazo: It's nothing about fine or no. That's your decision, Mayor.

Mayor Lago: But the issue is very simple. You have two polls that are conflicting. You have the City -- you have the City saying that 10 out of 12 oppose. How do you say that you are residents first and then say, I'm not going to listen to the business, I'm going to go against the businesses and do something that benefits you but hurts this man? I can't do that.

Mr. Durazo: Yes.

Mayor Lago: So, but -- hold on one second, excuse me. So, that's one thing. So, if you look at -- if you look at some of the items on the City Commission today, peafowl, the Vice Mayor, let's pick on the Vice Mayor. The Vice Mayor has -- that was a joke, pick, like the peacocks. I guess nobody liked my joke, it's okay.

Vice Mayor Anderson: I'm hungry.

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Mayor Lago: So, let's pick on the Vice Mayor, peafowl. I've probably put that on the agenda four or five times out of frustration. Not legislation, but discussion items to see how we can move the ball forward. I don't get -- I actually like the fact that she put it on. Maybe we'll take some action. Maybe we'll push the County into doing something. Commissioner Castro has an item that deals with the issue of a gentleman who's been in a tug of war here in the City for a long time. I put that item on the agenda multiple times. I actually voted against the height on that project. But it's great that we put it back on the item [sic] because it's good that we clarify issues that were stated there in regards to liens. I have no concerns if somebody puts something. What I do have an issue with is after working on something for years and years and years and years and bringing it to fruition and then having someone come in on the 11th hour and just attach their name to legislation in perpetuity. That's my comment. And with all due respect, with all due respect, you know, the issue of the FP&L was not an intent to mislead. I'm the one that just put it on the record. We had other pictures also that we can include. And he says it, when the lights are working -- I don't want to put words in your mouth. When the lights are working, is it still bright?

Mr. Durazo: Yes.

Mayor Lago: Okay. So, we have a business that's been there for 15 years. You're a business that's been there for a lot of years. We need to work together. Let's build -- let's build consensus. Listen to Commissioner Menendez. You guys sit down, have a coffee. And then we come back, and we have this meeting amongst all the -- we shouldn't be afraid to have a dialogue with all the businesses. We can find out a lot -- about a lot of things. Maybe you turn off your TVs at seven o'clock at night. What does that hurt you? You know, you can watch it all day, but at the end of the day, you know you're not within the Code. You're outside the Code. You violated the Code, and so did you.

Mr. Yanes: Yeah. In that point, Mayor, I came here many times to ask for a permit, and when I put those TVs on, there was Mr. Carlos Mindreau. He specifically told me, hey, you can do it this way until they change all the regulations. It has been seven years, the same time that the street opens and change the layouts.

Mayor Lago: Sir, but I'm trying to explain to you and I've told this to you. That's why I decided to embark on permitting this. And now we heard from businesses in that street that said, we are not happy with this, don't do this. We heard from residents who sent pictures. That's what I'm telling you. I took the baton to make you whole because I don't have an issue with the TVs. But if I have businesses that are telling me that it's a problem, I'm going to make you very happy, but then I'm going to make him very unhappy. It's just common sense. It's just common sense. So, why are we -- why can't we have a conversation? I'm trying to be as thoughtful as possible in the process. We should want to do this. Commissioner.

Commissioner Castro: Yeah.

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Mayor Lago: Please can you sit down for a second, please? We've -- I think we've had enough. Let's -- let's discuss the debate here amongst the Commission.

Commissioner Castro: Okay, respectful and professional. I would hope that you behave the same way outside of here. I mean, in here you're not really respectful and professional except for when you decide to. But outside, you don't behave that way. In fact, number one, let's respect our residents and our business owners. The way they take data is the way they take data. You don't have to be condescending to them. Show a little respect. And I think that's part of the Civility Code, okay? Number two, you're not taking into account that I also went to Giralda and spoke to everyone myself as an elected official. So, if you're not giving that any value, there's a problem there, okay? I'm not going to bring an ordinance without knowing that everybody is okay with it, or at least the majority, okay? The poll was after the altercation or before the altercation? The one we did. That's a question. Belkys, the poll. The poll was before the altercation?

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: There was no altercation.

Economic Development Director Perez: I'm sorry.

Commissioner Castro: Okay. So, then something's conflicting here because I'm hearing that you're threatening business owners. I mean, am I wrong?

Mayor Lago: I'm not threatening anybody. I'm not threatening anybody.

Commissioner Castro: Fernando.

Mayor Lago: Alright.

Commissioner Castro: Okay.

Unidentified Speaker: Well...

Commissioner Castro: And the reason I am so passionate about this because this is completely unacceptable. If you want to put a persona, a different character up here and pretend that you are a certain way, go for it. I'm not really a politician. I'm a normal person, and I'm not going to take this from you, okay? You respect the business owners. Did you not feel threatened, or did he not threaten your landlord?

Mr. Yanes: Yes.

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Commissioner Castro: Okay. How did he do so?

Mr. Yanes: He say -- my landlord's statement, when he call -- he call the Mayor to try to finish this, and they're going to shut me down.

Commissioner Castro: That he's going to shut the business down.

Mr. Yanes: And going to sue me for that.

Commissioner Castro: And he's going to sue him for that. So, we're going to go ahead and put this whole character on, like I'm so, you know, polite and respectful and professional. No, like break the act right now, okay? Number two, you didn't...

Mayor Lago: Can I -- may I respond to that, Commissioner?

Commissioner Castro: No, because I'm not done talking. Don't interrupt, okay. Number two, you didn't have any intent of bringing the legislation back, okay? You didn't. So, I did. And the reason I know he has no intent of bringing the legislation back was because of the communication he had with the landlord and the business owner. You don't bring legislation back telling them that you're going to bring their business down. I'm sorry, that's very conflicting, okay? And I did -- and when I bring -- and I brought this legislation back because I did speak to the City Attorney, and she said I could, okay? And that's about it. Is there anything else you would like to say on the record of what happened?

Mr. Yanes: Not right now.

Commissioner Castro: Okay.

Mayor Lago: If I may respond. First off, if you go back to my memo, the memo is memorialized when I was going to bring this back. It's very clear in an email from my staff stating who was there and what our next step is. It's very clear. You told me something on the phone and you said it very clearly when we spoke. The reason this got on the blog was because Melissa Castro and Ariel Fernandez called Political Cortadito and they would put pressure on me by smearing my name. You told me that, that you didn't do anything, but that the -- that you did and Fernando told me the same thing on the phone that said -- and I asked you, why would you run to a blog? And I tried to be a gentleman about it. I said I can't have any part in this. She's going to sponsor it then we'll discuss it, but I think we should have a community meeting to discuss this. You were very clear, you unequivocally said, Melissa said, I will call Political Cortadito and we'll put pressure on the Mayor by basically destroying his reputation.

Commissioner Castro: Well, no.

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Mr. Yanes: She didn't say that.

Commissioner Castro: I would never say that.

Mayor Lago: But you did say...

Mr. Yanes: Let me explain. No, no, no. Don't rephrase my situation.

Commissioner Castro: Don't try lying now.

Mayor Lago: I never -- I never...

Mr. Yanes: Let me respond, let me respond.

Mayor Lago: I never threatened you. You know that.

Mr. Yanes: Let me respond. Let me respond to you. As we get out from that conversation, then your statements were there. I call Melissa Castro and said, listen, this is very concerning to me. This situation with the Mayor went off the charts, okay? Completely.

Mayor Lago: There was people in the room. There was -- everybody was in the room.

Mr. Yanes: Of course. And they know about it. They all know about it.

Mayor Lago: Madam City -- Madam City Attorney, was I off the charts in the meeting?

City Attorney Suárez: Mayor...

Mayor Lago: No, but you're...

City Attorney Suárez: So, I don't know what off the charts means.

Mayor Lago: I don't know what it is either.

City Attorney Suárez: I don't know what that means so I don't -- and...

Mayor Lago: Did I threaten anybody?

City Attorney Suárez: So, I don't believe there were any threats made. I would -- you know, there's been a lot that's been said here and a lot of assertions so -- because I protect the best interests of the City I am not going to say that anyone has ever threatened a business here that I'm aware of so I don't -- you know, I don't think it's appropriate to go into that.

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Mr. Yanes: And Madam City Attorney, let me ask you, if you say talk to your friend Melissa Castro and say, she have (FOREIGN LANGUAGE) to bring this back, he said that.

City Attorney Suárez: So, again, I am going to -- once again...

Mayor Lago: (INAUDIBLE).

Commissioner Castro: That's a yes or a no.

Mayor Lago: Madness. That's madness.

Mr. Yanes: He say that or no?

Commissioner Castro: Literally, that's a yes or a no, but apparently...

Mr. Yanes: Let me ask you.

Commissioner Castro: I have -- I have (INAUDIBLE).

Mr. Yanes: This is on the record. This is on the record.

Mayor Lago: Excuse me.

City Attorney Suárez: No, no, no.

Mayor Lago: Excuse me.

Mr. Yanes: He say it or no?

Mayor Lago: Excuse me, sir, sir, sir. The City Attorney said I never threatened you. You said that I threatened you in front of the City, the ACM, the City Manager, Belkys.

Mr. Yanes: You called -- you talked to Naranjo and threatened us.

Mayor Lago: I did not.

Mr. Yanes: You did, sir.

Mayor Lago: I did not, what I said...

Mr. Yanes: You did.

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Mayor Lago: Was very simple. What I said was...

Mr. Yanes: It's the same that you say that this is misinformation. When we went there and you - my statement was the same that happened that day.

Mayor Lago: Absolutely unequivocally...

Mr. Yanes: You say, call your friend Castro to see if he have (FOREIGN LANGUAGE)...

Mayor Lago: Unequivocally incorrect.

Mr. Yanes: To bring this back.

Mayor Lago: Sir.

Mr. Yanes: Oh, no?

Mayor Lago: Sir.

Mr. Yanes: Okay.

Mayor Lago: When I spoke...

Mr. Yanes: That's nice, it's on the record.

Mayor Lago: Sir, when I spoke to the businesses...

Commissioner Castro: Thank you, Fernando.

Mr. Yanes: Sir, sir, I don't have nothing else to talk to you...

Mayor Lago: Fernando, when I spoke to the business owners...

Mr. Yanes: In that situation. You are a liar, sir.

Mayor Lago: They all said...

Mr. Yanes: You're a liar.

Mayor Lago: They all said the same thing about you. And they said that you are one of the biggest bullies on Giralda.

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Commissioner Castro: Why are you attacking...?

Mayor Lago: And that you have -- and that you have done...

Commissioner Castro: Why are you attacking him? What...?

Mayor Lago: To slur me...

Commissioner Castro: Because...

Mayor Lago: To slur me is embarrassing. So, listen...

Commissioner Castro: To defend yourself, you have to attack others?

Mayor Lago: Ma'am, look, you're the sponsor.

Commissioner Castro: Please.

Mayor Lago: You are the sponsor, and you can move forward. Sir, did I treat you -- did I treat you with respect? How did I treat you when you came to see me? How was it? Tell me.

Mr. Durazo: The first time I went to see you, you were totally supportive of Fernando.

Mayor Lago: I am -- and I still am.

Mr. Durazo: And...

Mayor Lago: And I still am supportive of you.

Mr. Durazo: And you responded really understanding his needs.

Mayor Lago: I still am.

Mr. Durazo: And I have not been there before, so now you're listening to me. And you were totally non-biased, objective, listening to both and encouraging us always to find common ground and a solution where we can all, you know...

Mayor Lago: Fernando...

Mr. Durazo: Have harmony.

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Mayor Lago: I just want you to understand something.

Mr. Durazo: That's -- that's my experience.

Mayor Lago: I support you having the TVs and I continue to support it, but not without having a dialogue amongst (INAUDIBLE).

Commissioner Fernandez: I do have one more question about processes. We've been hearing about two different polls, but one thing that caught my attention was when we were told that there are multiple people in businesses that are receiving the poll. So, did multiple people in businesses vote?

Economic Development Director Perez: I sent the list to the exact same people that are on our list. So, there are multiple people, yes, there are. And I did it anonymous because I didn't want anyone to feel that they were being called out. So, if there might be multiple from one, I would assume that only one would have filled it out for the team. Regardless, there's conflict because...

Commissioner Fernandez: Right.

Economic Development Director Perez: It just doesn't show up so I think that was the reason why we wanted to have a meeting.

Commissioner Fernandez: I mean, doing polling for a living, that's not a poll you can trust, because if you're sending out a poll where each business should technically have one vote, and multiple people in the business can potentially be voting, the Vice Mayor mentioned that we shouldn't take the word of a manager, it should be the owner. We don't know if it was the owners or the managers that took this poll, because there are managers on the list from what you said, correct? So, I don't see it. Commissioner Castro, you say that you went to the businesses...

Commissioner Castro: Personally.

Commissioner Fernandez: And they were supportive.

Commissioner Castro: Personally spoke.

Commissioner Fernandez: We have another document which was handwritten by the individuals at these businesses.

Mayor Lago: I agree with you. I agree with you on the poll, 100 percent on the poll.

Commissioner Fernandez: Yeah, I mean, I...

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Mayor Lago: But I don't want to interrupt you so...

Commissioner Fernandez: Yeah, no, no.

Mayor Lago: No, no, no, no, no.

Commissioner Fernandez: Please, I actually want to hear.

Mayor Lago: I can see it both ways.

Commissioner Fernandez: No, I want to hear.

Mayor Lago: I can see it both ways. I just don't understand. I don't understand if we have so much conflict in data and we have two parties that when we finally deliver here, we're going to hurt one versus the other. Why not have more conversations? We always -- you just said it, when you said it with our friends on Old Cutler. I want to have another community meeting. I want to have another community meeting. While we had massive amount of support from Snapper Creek residents but I want a community meeting. Why are we so afraid to have another community meeting amongst businesses? I don't understand why. This is a huge revenue generator. Again, I'm fine. Let's just vote on it. I'm okay. I'm perfectly fine with it.

Commissioner Castro: Yes, let's vote.

Mayor Lago: I just -- we're ready to move forward. You want to vote on it, we vote on it. It's okay. Move forward.

Commissioner Castro: Given the fact that I also when I spoke to every -- almost every business owner there and I got a very positive -- I got very positive feedback, I am moving forward with this motion. I know Commissioner Fernandez seconded it, so please, City Clerk.

Mayor Lago: Just give me one second. That's -- that's...

Commissioner Castro: Okay.

Mayor Lago: My job. So, is there any other further comments? I want to make sure the Commission is okay. We're good?

Commissioner Menendez: I just want to add that, you know, going forward when we have a discussion and the flame is lit, that we throw water not gasoline on it going forward because it's not good for anybody, not good for the folks in the audience, not good for the folks watching, not good for us. Let's try to bring the temperature down and not try to escalate things and I think we can do better.

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Mayor Lago: Thank you, sir.

Vice Mayor Anderson: I will...

Mayor Lago: Vice Mayor, anything else?

Vice Mayor Anderson: No, I would second that comment. And that's why, you know, I urged us to get the folks in the room to be able to reach an amicable solution that resolves all issues. I mean, most of the time, the first thing you have to do when you do that is you're going to have to make the past the past. Whatever words were said, we've got to forget that and just try to do the best for the businesses. And that's why I said, let's meet, maybe we can do an interim solution. That's why I asked you the questions that I did as to whether or not the TVs could run during the day when it's not going to be flickering, can we tilt the TVs? Is there a middle ground until we can have our meeting? I'd love to meet a middle ground, but I don't -- really don't know if I have a clear answer from you on that so.

Mayor Lago: We have a motion, unless you have anything else you'd like to add. No?

Commissioner Castro: This is to the best interest of all the business owners according to their point of view and how they manage their business, most of them.

Commissioner Fernandez: Just as a point of clarification, this applies to all businesses on Giralda?

Commissioner Castro: Correct.

City Attorney Suárez: So, the ordinance applies on Giralda Plaza. You have to have an open air dining permit in order to be able to have the TV screens on your property.

Commissioner Fernandez: Got it.

Commissioner Castro: And -- and I'm sorry to interrupt.

Mayor Lago: No, no.

Commissioner Castro: Also, 25 feet of storefront. If you don't have more than 25 feet of storefront, you don't qualify for this permit.

Mayor Lago: Okay, so we have a motion and a second.

City Attorney Suárez: It's one clarification. Commissioner, unless the Development Review official determines that it's appropriate.

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Commissioner Castro: Correct.

Commissioner Menendez: Yes.

Vice Mayor Anderson: I'm torn a bit on this one because we don't have an amicable solution between these businesses. So, at this time, it's a no.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes. And I want to sit down with you at your location to see how we can move forward with a solution for yours as well.

Mayor Lago: I support the TVs, but I can't support it this way. I'm all about the process and having as many people have a conversation. I have to say no. Thank you.

(Vote: 3-2)

Mayor Lago: Alright, moving on to item -- thank you for everybody being here.

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