Mayor's Advisory Work Group: Historic Preservation Ordinance
Minutes of the January 7, 2016 Meeting

Stephen P. Clark Center
111 NW 1st Street
29th Floor, Room 29A
Miami, FL 33128

I. INTRODUCTION – Arva Moore Parks, Chair – the meeting started at 9:10 a.m.

Advisory Work Group Members – Roll Call:

Morris Broad, Vice Chair	Present
Rodolphe el-Khoury	Absent
Neisen Kasdin	Absent for Roll Call (arrived at 9:25 a.m.)
Becky Roper Matkov	Present
Dolly McIntyre	Present
Arva Moore Parks	Present
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Present
R. Jollivette Frazier	Present

Audience Present:
Kathleen Kauffman, Chief, and Sarah Cody, Historic Preservation Planner, Miami-Dade County Historic Preservation Office; Mitch Novick, Chair of the Miami-Dade County Historic Preservation Board; J. Bruce Ehrenhaft, Dade Heritage Trust; Jack Osterholt, Deputy Mayor/RER Director; Lourdes Gomez, RER Deputy Director; Wendy Auerbach, Historic Preservation Board member; Stan Auerbach, Wendy Auerbach's husband; Sharon Peng, Office of the Mayor; Margie A. Robinson, Commissioner Heyman's office; Luis Espinoza, RER Department; Eddie Kirtley, County Attorney's Office; AND Michael S. Weiss, Office of the Mayor.

II. APPROVAL OF THE MINUTES – DECEMBER 3, 2015

Arva Moore Parks, Chair: Asked members if there were any corrections to the minutes of December 3, 2015.

Morris Broad moved to approve the minutes of December 3, 2015. **Dolly McIntyre** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent

Neisen Kasdin	Absent for Vote
Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

III. REVIEW OF INFORMATION REQUESTED FROM STAFF

A. Other County Boards – Legislative Intent and Purposes

Kathleen Kauffman: Distributed two sets of documents to the Advisory Work Group panel, the first set being a representation of other Miami-Dade County Boards and their Intents and Purposes. Many of these, however, do not have their own ordinance specifically for these Boards, and so the purposes and intents are not as intensely outlined and detailed as our own historic preservation ordinance.

B. Other Cities' Historic Preservation Ordinances – Legislative Intent and Purposes

Kathleen Kauffman: Told the panel members that she gave them additional information with regards to other cities around the state and country, as to give them a sense of what other large cities are doing as far as intent and purposes.

Arva Moore Parks, Chair: A lot of the wording is similar to ours; a lot of this comes from federal language as well.

IV. PREVIOUS DISCUSSION TOPICS

Kathleen Kauffman: At the last meeting you had asked us to start creating a list of topics that you definitely wanted to either make a recommendation for, or be sure to cover at a subsequent meeting. As of right now, I think you have covered three or four of them pretty thoroughly but I don't think that you've made an official recommendation on any of the items. We talked about definition of owners, and we talked about how the Chicago ordinance specifies more clearly as it relates to condominium or co-op buildings, and who is considered the owner in the event there is a petition to designate. You've also talked about the composition of the historic preservation board and you've talked about adding in some other fields and occupations to be put into that language as to the type of people that the commission can pull from to put on the board.

We've had a lengthy discussion on term limits for board members and you've had many discussions on economic incentives. With regards to the jurisdiction over municipalities I don't know if you had an opportunity to go over staff's version of the ordinance, which added language that will offer the opportunity for municipalities to take over their own jurisdiction, and then finally you have discussed economic hardships.

Arva Moore Parks, Chair: Thought that today the panel can come up with some recommendations for the next meeting and have Kathleen provide for us her recommendations as to changes in the ordinance. Maybe Staff's changes could be in red, and then our recommendations in blue. Some of them are going to be the same, but that is ok too. Then perhaps have one more meeting. What do you think about that? I'm just throwing that at you, does that make sense?

Morris Broad, V. Chair: Suggested that we should have one more meeting and really focus on bringing it to a conclusion, as to the recommendations that we are making.

A. Discussion about Definition of Owner

Arva Moore Parks, Chair: Stated that the issue is not residential, but thinks it is when you're dealing with condos and co-ops. Does anyone have any ideas?

Kathleen Kauffman: I think adopting what we provided for you, similar to the language from Chicago, would handle that issue. The Chicago language states that if there is a condo or a co-op, it is the board or the association that is considered the owner.

Morris Broad, V. Chair: He stated that the whole purpose of preservation was subverted by a couple of owners that were not happy with the price that they were getting on their apartment, and used preservation as a reason to go against the vast majority of the homeowners association. Thinks that the Chicago plan is a great plan.

Becky Roper Matkov: I know that in the City of Miami when you have to notify adjoining property owners about a designation, you have to notify the condo association rather than every single one to be consistent.

Arva Moore Parks, Chair: Kathleen can you write that out to get a recommendation so that everyone can vote on that.

Becky Roper Matkov moved that for condos and co-ops to be considered for designation, the board or association is considered the owner. **Ramon Trias** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Absent

Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Arva Moore Parks, Chair: There is a question from the floor.

Mitch Novick: How does this fall into the conversation where in this case the County would have to send certified mail advising about an upcoming designation of a building or neighborhood? Will it be sent just to the association, or to each of the shareholders or unit owners of a condominium?

Arva Moore Parks: It would go to the association under this new definition.

Mitch Novick: Because as you stated, if it is just the association you are talking about, for notification purposes, it would be a savings of many of thousands of dollars.

Arva Moore Parks, Chair: And that would help get designations done in the long run. Kathleen can you write that one up for us as well?

B. Composition of HP Board

Arva Moore Parks, Chair: There have been some suggestions to add categories. If you look at the composition, it is pretty lose language right now.

Dolly McIntyre: I think it is important for the board that they have expertise in historic preservation, or show and demonstrate an interest in the subject. To bring in people to make those kinds of decisions that these boards make, and not have a background of any kind in preservation, that is not productive at all.

Ramon Trias: Madam Chair, I think that the composition is fine. Doesn't feel that there needs to be any changes, unless staff has some other ideas.

Kathleen Kauffman: In our version of the ordinance, we had added two more to that section. There is a list of fields of professions that the ordinance suggests you pull from, and then there are three spots that have actual required positions. She doesn't see any harm in adding to the list of people that you can pull from like a contractor, developer, economist, or whatever else you choose.

Morris Broad, V. Chair: Kathleen how many members are on the preservation board?

Kathleen Kauffman: 13, with two vacancies.

Morris Broad, V. Chair: It is important to have a full complement of people, but the problem that he has seen in the past is that there is not much attention given to attendance, and a lot of board members do not attend the majority of the meetings. I have served on a board for a long time where attendance is a consideration. If you miss more than two meetings without an excuse you are gone. Feels something like this should be thought through on the preservation board. I think that if they don't attend, and it is just something that you put on your resume that you are a member of a preservation board, feels this should be noted.

Arva Moore Parks, Chair: Do we have attendance requirements in the ordinance?

Kathleen Kauffman: I believe there are requirements in the general ordinance related to County Boards.

Eddie Kirtley, County Attorney: I think it is three consecutive meetings, but needs to look at the general portion of our county code to be sure.

Arva Moore Parks, Chair: Is it enforced?

Eddie Kirtley, County Attorney: Well that is another thing, because many people don't even know that it is there, but he's pretty sure that there is a provision that states three consecutive meetings missed and then you're out.

Arva Moore Parks, Chair: Suggests that we give a recommendation from us to the commission to enforce the existing rule.

Ramon Trias: That is what I would recommend and in addition, adding that flexibility that Kathleen was speaking about and also emphasizing on the attendance requirement. Thinks this would be a good recommendation from the board.

Mitch Novick: He recalls it being four absences in a 12-month period.

Morris Broad, V. Chair: Mitch I remember attending one meeting and five minutes before adjournment, a board member said, well I have a doctor's appointment, and you had great concern that if that person left, you wouldn't have quorum. So the vote was rushed in five minutes before adjournment.

Mitch Novick: I agree.

Arva Moore Parks, Chair: Well I think enforcement is key.

Mitch Novick: Neisen might be familiar with what we have been discussing.

Arva Moore Parks: Indicated that Neisen came in at 9:25 a.m. Neisen in your absence, we have already voted on the definition of owner, which includes the owner of the condo board or association, and they will be the ones notified of impending designation hearings.

Neisen Kasdin: As well as with the co-op?

Arva Moore Parks, Chair: Yes. That is something we already voted on and was something you had recommended. Now we are talking about the composition of the board and the feeling I get after what I've been listening to is that we would like to leave the required as is. She requested Kathleen to explain the beginning section again in detail.

Kathleen Kauffman: In staff's version, we were already going to add into that list of who you could pull from to include archaeologist and engineer, and I was saying it wouldn't hurt to add developer, contractor or economist to that list as additional professionals.

Arva Moore Parks, Chair: But the required positions would remain the same right? Any further discussion? Does anyone want to make any more comments?

Neisen Kasdin: I think it's not broad enough. We talk about how current language says shall contain, *"but not less than one architect, one real estate agent and one attorney-at-law, one historian or architectural historian."*

First of all he questioned why it would be a real estate agent. Some real estate agents are very sophisticated about development, but if you look at what the Board is doing, which is analyzing *the acquisition, development, preservation, renovation or demolition of a property,* it is not really real estate. It is not really the real estate agent that has the expertise in that area, typically it would be a developer who would have that because they go through that whole process. Feels that we need to change that particular category to say real estate developer, or real estate attorney, and frankly, an agent may have been a developer as well, but thinks that you need a person with the development skills.

Arva Moore Parks, Chair: Mitch can you respond to that?

Mitch Novick: I agree, I don't believe that real estate "agents" should be one of the required positions.

Ramon Trias: Kathleen, it states a *"real estate professional"* right, is that what the ordinance says?

Kathleen Kauffman: The current ordinance says *"the Historic Preservation Board shall contain not less than one architect, one real estate **agent** or attorney-at-law."* So it does says *"real estate agent"*.

Ramon Trias: What if we change it to "real estate professional?"

All members agreed that real estate professional would be better.

Mitch Novick: I agree with Dolly's comments earlier, as to including people who show an interest or have knowledge in historic preservation, and feels these categories should be included.

Arva Moore Parks, Chair: Let's make the recommendation to change from *"real estate agent"* to *"real estate professional."*

Neisen Kasdin: Stated that it is important to have the role of an economist, who understands the real estate economics and the economics of community development.

Dolly McIntrye: As well as the economics of preservation.

Neisen Kasdin: All of the above.

Becky Roper Matkov: Isn't that going to be just a specialized real estate professional, because that person may very well be an economist, but to say that you are mandating to find strictly an "economist" seems limiting?

Kathleen Kauffman: But we can put economist in the list of professionals, in the beginning of that section of the ordinance.

Becky Roper Matkov: But otherwise I'm wondering how many officially designated "economists" are going to be rounding up?

Neisen Kasdin: There aren't too many economists, but there aren't too many archaeologists either.

Ramon Trias: Madam Chair, the problem that I see is that economics is not a profession that is regulated, as it is, for example architecture, so it is going to be more difficult to find somebody that is officially qualified as such.

Neisen Kasdin: I'm ok in putting it on top and not as a mandated post. For instance, I look at the debate in Bay Harbor Islands and largely it was around economics.

Kathleen Kauffman: That's why we are suggesting putting archaeologists too, not as one of the required positions, but we wanted it listed as one of the professions that they could pull from.

Mitch Novick: As a sub-category of economics, what comes to mind is real estate appraisers as well.

Neisen Kasdin: That actually makes a lot of sense, because those are the ones that get down to the nitty gritty of valuing properties.

Arva Moore Parks, Chair: I hate to be a skeptic, but having these developers and appraisers just getting what they want out of this process, I'm not for that.

Neisen Kasdin: Developers and architects get what they want, and pay the planners to get what they want. I think what you are saying is that when you serve on this board you should bring the skills of an appraiser.

Arva Moore Parks, Chair: That could be on the top again, it really doesn't matter.

Dolly McIntyre: An appraiser could be considered a real estate professional.

J. Bruce Ehrenhaft, Dade Heritage Trust: When you talk about recommending positions of the board, and you only have two open positions right now, how does the committee see folding in the people that are not currently represented in the board's composition, when it is the individual commissioners who make the actual decisions?

Arva Moore Parks, Chair: I think that we are going to talk about term limits next and I think that will fit into all of this ok.

Kathleen Kauffman: So just to be sure I have this right, in the introductory section, you would like to add economists, contractors, engineers, developers and archaeologists right?

Arva Moore Parks, Chair: Would anyone like to make a motion?

Morris Broad moved the motion to add economists, contractors, engineers, developers and archaeologists to the top part. **Dolly McIntyre** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Yes
Becky Roper Matkov	Yes
Dolly McIntyre	Yes

Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Dolly McIntyre: Then under the required occupations and interest we change *"real estate agent"* to *"real estate professional."*

Dolly McIntyre moved the motion to change *"real estate agent"* to *"real estate professional."* **Ramon Trias** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Yes
Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Neisen Kasdin: If you look at page 4 under the Minimum Standards, he feels it needs to be modified to be compatible because we made some changes. In Kathleen's draft ordinance, that part that applies to municipalities, there is now a window provided for cities to opt out.

Arva Moore Parks, Chair: That is coming up in a minute and we will discuss it then.

Neisen Kasdin: Responded ok.

C. Term Limits for Board Members

Arva Moore Parks, Chair: Kathleen you were going to check with Miami Beach, what did you find out?

Kathleen Kauffman: Our Board term is currently a term of 4 years, and they can be eligible for reappointment. Miami Beach's terms are for 2 years, but they have a maximum of three appointments for 6 years.

Eddie Kirtley, County Attorney: In the general County rules, there is an 8-year term limit as well, but that is waivable by 2/3rds of the commission vote.

Kathleen Kauffman: To reiterate, we do already have an initial 4-year term for Board members, with a 2-year term max, for a total of 8 years, but if 2/3rds of the full commission vote to waive, they can reappoint someone if the choose to.

Arva Moore Parks, Chair: It seems to me that the waiver needs to be removed, and I know a lot of boards that have a term of 4 years, you can go off, and then get back on. That's kind of normal; don't you think Regina, since you have been on a lot of boards like I have? I think 8 years is a long time. I think you do need a little more than 2 or 4 years, if you are new on a board you have a learning curve for a while, then you figure it out and start knowing what is going on.

Kathleen Kauffman: So the panel can make a recommendation that you add in something that a member would have to go off the board for at least one term.

Arva Moore Parks, Chair: Right.

Neisen Kasdin: I don't think there is any magic to this, I think my thinking on term limits and boards has changed over the years. At first I thought term limits were great, and now I don't think it is so great. You may have a really great board member for 8 years, and then has to go off, but there might not be another opening the next time around when they are eligible again. I almost think it's better to say it's two 4 year terms, and give them one additional time that it can be waived, for an additional 4 year term. Then you can have someone that is really exceptional and a great contributor for a 12 years max.

Arva Moore Parks, Chair: That is a long time. Myself and Neisen have been in this preservation business for a very long time, and suggest we need to get a new generation in, and if we keep some of us who are knowledgeable great, but we definitely need to bring the next generation in and we are not doing that very well. I feel that is critical for the future of preservation.

Ramon Trias: Madam Chair is there a problem that we are trying to fix here? Is there some type of concern?

Arva Moore Parks, Chair: The concern is that the commission, with the 2/3rds vote, has kept some people on the Board for a very long time.

Ramon Trias: And this is interfering with the quality of the board?

Arva Moore Parks, Chair: Definitely.

Morris Broad, V. Chair: Why don't we increase 2/3 to ¾? What is so magical about 2/3rds?

Kathleen Kauffman: Well the 2/3rds exemption is not in our specific ordinance; that is actually a County Ordinance that dictates how all the boards are run.

Morris Broad, V. Chair: Can't we make a recommendation with regards to this board?

Arva Moore Parks: Why would we want to do that? I'm not sure I understand why? 8 years is a long time to be on a board.

Morris Broad, V. Chair: Well how do the term limits apply to those that are already on the board? In other words, if someone has already served 12 years on the board, you are going to give them an additional 4 years? I don't think that is good.

Arva Moore Parks, Chair: This is why we need to discuss this.

Mitch Novick: I just have to smile a bit as you are talking about this, because the County recently enacted term limits a few years ago, and many of those commissioners didn't want it to be retroactive and I believe they got a full run of 8 years.

Arva Moore Parks, Chair: How do we deal with that?

Neisen Kasdin: They didn't make it retroactive…from that standpoint they got 8 additional years.

Mitch Novick: Some commissioners, I'm not going to mention names, have been serving for a very long time.

Arva Moore Parks, Chair: Well maybe when this comes into effect, you would have a 4 year term period if you have been on for so many years. It seems to me that that might work.

Morris Broad, V. Chair: Kathleen how many members have served on the historic preservation board for an extended period of time, but not naming names?

Kathleen Kauffman: We have three newer board members on the Board. But some of them have served since the early 2000's.

Morris Broad, V. Chair: Are there members now that have been on the board for more than 13 years?

Kathleen Kauffman: Yes. The commissioners felt that those people have such a breadth of knowledge and reputation that they continue to appoint them.

Arva Moore Parks, Chair: What do you think of the idea if you are on it now for a 4 year term, you will have another 2 years. Any discussion?

Morris Broad, V. Chair: You don't have an emeritus status here so as a result I think that is the best way to go. I think it is important, as you mentioned, to have a refreshing situation on an ongoing basis with younger people who are probably more tuned in with technology and a rapidly changing world, and I think it is important to have new ideas which will continue to revitalize, hopefully, this whole process of preservation.

R. Jollivette Frazier: Could you clarify your recommendation? As I understand it, they would have another 4 years after the change of the ordinance occurs or after their current 4-year term expires, no matter how long they have already been on the board?

Neisen Kasdin: Feels that this is a legal question that needs to be explained by the County Attorney's Office. Do we have consensus on the table that it will be two 4-year terms? If you are on the board now, you can't be there for more than a total of 8 years, which at most would be like an additional 4-year term?

Dennis Kerbel, County Attorney: There is a default for County boards, but you can be specific and take it before the BCC to see if they can waive any term limits by the 2/3rds majority vote.

Arva Moore Parks, Chair: How is the best way to word this?

Kathleen Kauffman: Maybe you can put in language that says "*for board members currently sitting as of the date of this revision, you can only have one more 4-year term*."

Arva Moore Parks, Chair: If you have already served two terms, then you have already served 8 years?

Neisen Kasdin: I think that Kathleen's way is the cleanest way.

Arva Moore Parks, Chair: Thinks that is good language.

R. Jollivette Frazier: I don't find that acceptable, I feel it should read…"*after the new ordinance revision, a term shall not exceed a total of 8 years.*"

Arva Moore Parks, Chair: That makes sense to me too. Any discussion?

R. Jollivette Frazier: A maximum of 8 years, consecutive.

Neisen Kasdin: If a board member is in the middle of their 2nd term, then that would be it.

R. Jollivette Frazier: Yes, that would be it.

Kathleen Kauffman: Did you also want to add in that *"the commission would not be able to extend it?"*

Becky Roper Matkov: Then you definitely need to say "consecutive service" because if not, then you're saving 8 years total.

Arva Moore Parks, Chair: They may be reappointed after a hiatus?

Kathleen Kauffman: They can only serve 8 consecutive years, and can be reappointed after a hiatus.

Arva Moore Parks: Do we have a motion on that?

Neisen Kasdin moves the motion be that the new ordinance shall reflect that terms shall not exceed a total of 8 years and the commission would not be able to extend it. **Morris Broad** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Yes
Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Christine with Dade Heritage Trust: Last night at Dade Heritage Trust they had a great meeting. A question came up on official training for historic preservation and being able to fund a training session for new board members. Suggests this is something that should be included in the ordinance as far as being able to set aside monies for official training of board members that have preservation interest and experience, but maybe they do not know how a preservation board should operate. Being that they are all political appointments, that's generally the case. Knows of a professional association that provides training for preservation boards.

Kathleen Kauffman: We do trainings. We recently just did a new member orientation and training with all of the historic preservation board members. Since we had three new board members, we had our attorneys go over the legal aspects, such as Sunshine and Jennings rules that they must know about, and I went over the ordinance, as well as the do's and don'ts for preservation board members. I myself have been through the NAPC (National Alliance for Preservation Commissions) training quite a bit. We don't do them every year, but maybe that is something that we should do.

Arva Moore Parks, Chair: Maybe that can go into this ordinance stating "*new members shall undergo training.*" All new members should undergo a training session.

Neisen Kasdin: What would the training consist of?

Arva Moore Parks, Chair: Going over the ordinance, and understanding the rules and regulations.

Kathleen Kauffman: Does that really need to be in the ordinance, that your board members need to be trained?

Becky Roper Matkov and Arva Moore Parks, Chair: Agreed it probably should be.

Dolly McIntryre: It's elementary, but sometimes things get overlooked. If it's in black and white in the ordinance that they need to be trained, then the new board members will see it, and then staff is reminded as well. I don't think there is any harm in including that in the ordinance.

R. Jollivette Frazier: Are you merely giving them an orientation, or are you training them?

Kathleen Kauffman: It's an orientation, we go through the entire ordinance, and board etiquette, and the attorney's go through the legal things they need to know.

Arva Moore Parks, Chair: Orientation would be a better word, like Regina suggested.

Morris Broad, V. Chair: Should that also be available to existing members not necessarily just to the new members?

Kathleen Kauffman: We do the orientation with the entire board.

Ramon Trias: Madam Chair, the question should be, what type of content should be in that training. Feels that an orientation of the board is great, but there is also a need for them to understand the history of the place and the development of the cities and counties and so on. I find that type of training lacking and thinks that if the County were to develop some of that, it would be more effective in terms of the context of the decisions, the values of the neighborhoods, and certain areas and feels that is very important. The ordinance is self-explanatory, and most of us that have served on boards and so on don't need too much of an orientation, but that historical context and a discussion on what we have and what has been done in the past on the Board is lacking particularly in our community.

R. Jollivette Frazier: Could you clarify what you mean by the value of certain areas?

Ramon Trias: The value of every area in the community. For example, Arva just wrote a great book on George Merrick, and these things are what we need to rediscover, and explain them to Board members. Staff and the County should make an effort towards that.

R. Jollivette Frazier: So you are saying the County staff should be explaining the historical significance of all of the municipalities in the County as training for serving on the board.

Ramon Trias: I think that would be helpful.

R. Jollivette Frazier: I think then the Board members need to go to a class for that rather than training.

Ramon Trias: And that may be a better way of doing it, but it is valuable and right now it is not being done.

Arva Moore Parks, Chair: Indicated that this talk about the value of different parts of the community fits directly into the economics of preservation. Can we have a plan prepared by, or have a speaker come up with information for the County on how historic districts have affected property values? I belong to a preservation professionals group on Facebook and this was posted on it just yesterday.

Donovan Rypkema, who is a nationally renowned speaker on this subject of preservation economics, recently gave a presentation in Chicago. He spoke about the specific examples of the economic value of historic districts. Perhaps as part of the economic incentives, we could make a recommendation that the County hire Donovan Rypkema to do a survey in Miami-Dade County, as to how historic preservation has had economic impact.

I don't think it has ever been done here, but since being involved with the City of Miami, and the City of Coral Gables, I know what the impacts to those cities has been. The City of Miami has more districts than anybody; it is amazing and in every single district the value has gone up from the time they were instituted. To have someone like Professor Rypkema perform this study, it can be very useful in helping developers understand that there can be economic benefits.

Kathleen Kauffman: This panel spoke about this at the last meeting; you were talking about how the MiMo district on Biscayne Boulevard has completely changed since 2006, but no one has done a study on it. A study like this, highlighting actual County historic resources, would be very valuable to us as preservation professionals, and for the historic preservation board members, because right now we are using studies from other places, other states, and people sometimes don't really relate to that.

Arva Moore Parks, Chair: I think that if you get someone with the stature of Professor Rypkema, which would be great. Noted that in fact, he is an economist.

Kathleen Kauffman: This is not something that you would put in the ordinance, but that would be a very useful recommendation from this panel that is not ordinance related.

Arva Moore Parks, Chair: Can I have recommendation motion to do this survey by Donovan Rypkema?

Becky Roper Matkov made a motion to recommend that we have an economic impact of historic districts report done by Donovan Rypkema/Place Economics. **Dolly McIntryre** seconded the motion. Recommendation was passed by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Yes
Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Neisen Kasdin: The track record on how historic preservation is one of the elements in creating neighborhood value is well established. He is all for the study, but wants to still drive home the need for effective tools. One is the TDRs.

D. Economic Incentives – Impact Funds/Tax Exemptions/TDRs

Arva Moore Parks, Chair: I don't believe that a lot of this is in the current ordinance is it? Kathleen can you elaborate?

Kathleen Kauffman: What we have currently as an economic incentive that is already in the ordinance is the Ad Valorem Tax Exemption Program.

Neisen Kasdin: Which by the way if a very effective program.

Kathleen Kauffman: Right now, we have a lot of applications in the pipeline that use that program.

Ramon Trias: So why don't we add a TDR program?

Arva Moore Parks, Chair: The TDRs could be added right?

Becky Roper Matkov: Wanted to throw out something with regards to TDRs. The downside of TDRs is the lack of market. She has been talking to several property owners of commercial buildings and also to various attorneys, and it seems like there would be ways of creating markets, such as the TDR bank idea, so that you can sell TDRs to a bank, and if they are not needed now then they can be sold later.

An attorney suggested that a non-profit such as Dade Heritage Trust could be the holder of this TDR bank, and then these could be later used towards parks or other infrastructures. I was speaking with Scott Silver about this yesterday and we were trying to conceptualize what we can do to make TDRs more desirable and more marketable and thought it would be a great idea for him to come and give his comments. We should also invite Lucia Dougherty because she has done extensive work with TDRs, as well as local developer Avra Jain, who has used these. Maybe they have ideas on how we can structure TDRs so that they can be even more useful.

Ramon Trias: He thinks that the County would have to set up this process later on, though this panel could give a recommendation of having a TDR program. Stated that what the TDR does is that when you have zoning in place you can create value for it, and then you can preserve the building. That concept, if we can put that into a recommendation, and then make it so that the County can develop an effective TDR program, I think that would be our best role.

Becky Roper Matkov: I know that some commissioners indicated that they would be supportive of a TDR program, but we probably need to give them enough details to run with it.

Arva Moore Parks, Chair: From my understanding that is not in the ordinance, and it needs to get in there.

Kathleen Kauffman: TDR's are not discussed in the ordinance now.

Neisen Kasdin: It should be coming from us stating that we are recommending it, because it can also have a triple effect, because you have to incorporate it into the County's CDMP Plan under their land use element. It also has to be authorized within those zoning districts.

Kathleen Kauffman: And we also interface with some municipalities.

Ramon Trias: This is why I say that in two meetings we are not going to be able to develop a TDR recommendation at the panel level.

Neisen Kasdin: This is complicated, but to me it is the best incentive because it's very meaningful and I've worked with TDRs over the years. Take for example, the City of Miami where they have a vigorous TDR program, but the TDRs right now have relatively little value, because Miami's development regulations are so intense that there is not necessarily a need for TDR's. Also, since there are so many TDRs available now, that it has flooded the market has and that's combined with the fact that the market is now saturated with development. This program could be a very effective tool in some of the smaller cities, like Surfside or Bay Harbor Islands, where there is much more restricted development rights, and this could create some real value in the TDRs. This is not something that is going to be easy, but we should take a further look at it.

Ramon Trias: If we can give some recommendations, that would be great. I am not opposed to the idea, but it might not be realistic for this group to develop the TDR program by next month.

Arva Moore Parks, Chair: The most important thing right now is to get the ability to use a TDR program into the ordinance, because it is not there now. Our number one goal is to add things to the ordinance that are going to be useful.

Neisen Kasdin: Would like to see Kathleen Kauffman and the County Attorney's Office take a stab as to how the TDR program could be structured.

Becky Roper Matkov: This is just a nice forum to get expertise brought in. This is a huge undertaking and this is a great chance for us to get some great expertise from people who have real experience with existing TDR programs.

The group agreed to invite Scott Silver, Lucia Dougherty, and Avra Jain to the next meeting to discuss a TDR program.

Arva Moore Parks, Chair: I also recall that there was something that someone said in a previous presentation regarding tax exemptions for residential because right now, it is only available for commercial historic properties.

Kathleen Kauffman: As you will recall at a prior meeting, we had the gentlemen from the Property Appraiser's office talk to you regarding two other available tax programs. One of them we don't have in our ordinance at all and that is 196.1961. The City of Coral Gables currently uses that one. That one is if the frontage is viewable from the street, that is considered open to the public for the purposes of how they assess that property.

Currently in the County's ordinance, we do mention 193.503. That is the classification that can be found on page 33, Section 16A-19. *This is the classification and assessment of properties used for commercial or non-profit uses.* Remembers that there was a discussion among the panel members regarding urging the legislature to adopt a revision

to this so that residential historic properties could be eligible for this as well. Right now, if you are designated as historic, there is no incentive nor is there something that would be given. We have the ad valorem tax program, but you have to be doing a major project in order for that to give you any real benefit.

Neisen Kasdin: Do we have available facade easements?

Kathleen Kauffman: No we do not.

Neisen Kasdin: For instance, Dade Heritage Trust can hold an easement which would protect the façade or potentially more of the building and that qualifies you to reduce your property taxes by virtue of the value of the easements.

Becky Roper Matkov: Dade Heritage Trust holds several easements, but to get the tax benefit, it has to be on the National Register of Historic Places, because local designations are not eligible for that. We can recommend setting up a residential local tax exemption and this could be a wonderful incentive for a historically designated property, whether it is commercial or residential. If they could get a tax break on local taxes, this would be incredible and something worthwhile.

Arva Moore Parks, Chair: The question also came up to get some kind of ad valorem tax freeze or deduction from local property taxes.

Neisen Kasdin: For instance, the State has a statute that if the private property owner gives an easement to a city or a government for 10 or more years and it is going to be used as a park, they are not taxed on the value of that land. Similarly, if an easement is given that results in the preservation of a structure, let's say the value of the property gets taxed at $1M dollars without historic protection, but if you give it as an easement, which limits your development rights, your property tax then goes down to a half million.

Kathleen Kauffman: Similar to what the Florida Trust for Historic Preservation offers because the Florida Trust has an easement program, as well as DHT.

Ramon Trias: At least one of the easement of the Florida Trust is in the City of Miami.

Becky Roper Matkov: The entire easement process, since it has been already done numerous times, can be pretty labor intensive. It seems to me if you wanted to reach more people and if you have a historically designated structure, you as a property owner are entitled to a discounted property tax and then you wouldn't have to go through the legal process of façade easements. Since you are locally designated, you can't change the exterior of the façade anyway.

Neisen Kasdin: Actually that makes sense, and that reduction and change in the valuation would apply as long as the preserved structure is retained. Would this require any legislative action in order to authorize it?

Eddie Kirtley, County Attorney: That is the general idea that we have to look at. Everything requires a state's authorization both at the constitutional and statute level, and I think we looked at the constitutional provision and felt that it was broad enough to encompass some additional legislation, but in order to do something here, you have to make sure that you have a state statute that you can hook it on, if not you can't pass the legislature to potentially act on something.

Becky Roper Matkov: Actually that would be a wonderful thing to use statewide and the Florida Trust would be very excited.

Arva Moore Parks, Chair: Let's look into that and come back next month with feedback.

Neisen Kasdin: That really gets back to the economic problem with respect to preservation because you may have a property that, regardless of how beautiful the building is, depending on its size, the limits of use, etc., and you cannot generate income, but it is being taxed on the basis of highest and best use.

Arva Moore Parks, Chair: Let's talk about the impact fees. The South Miami Association, of which I am a member, remembers we went to bat because the impact fees that were being given against developers in the Brickell area were being used in Aventura and we were the ones being affected and the ones able to get that changed. One of the things that was done was that South Miami Avenue got the historic trees repaired and Simpson Park got some money. So if we keep the impact fees somehow connected to historic preservation, it would be beneficial in areas that impact historic resources.

Neisen Kasdin: Having decades of experience with impact fees, I am profoundly unimpressed with their ability to be meaningful. First, because the benefit districts can be so large that it becomes so attenuated and also because the fees are often collected and never used. I am not a believer of using impact fees as a viable tool.

Ramon Trias: That is not necessarily true; it has to deal with the implementation and not necessarily the tool to exist. It is just one tool and it can be done well or poorly.

Arva Moore Parks, Chair: But traffic impact when you build a high rise building next to a historic structure is real, and that is where the impact fees would stay in the area that is impacted. It could have value and I am thinking of an area like Coconut Grove, for instance, some of the impact fees there that are zoned could be used there. You have to be proactive to make it work.

Somehow, in the preservation ordinance, impact fees should be available in historic neighborhoods, and should be kept in the neighborhood that is being impacted.

Dennis Kerbel, County Attorney: I would like to make a comment on that, and roadway impact fees is the one I work with the most and get the most questions on, but there are 9 impact fee benefit districts and it is a similar distribution among the parks, police, fire, etc., but in any event, they are created to be small enough to justify the impact fee being collected from the developer in one area is going to offset the impacts to the surrounding network, but you have to make it broad enough that you can actually spend the money. So the problem with narrowing it too much and defining too constrained of an area, for example to collect in Coconut Grove, you need to spend in Coconut Grove, is that you may not be able to use that money because there may not be a project that makes sense to undertake there. The roadways may already be so constrained in that particular area that you can't widen it anymore and they have to be tied to a capacity improvement with regards to roadways.

Perhaps there is something that can be done in terms of prioritizing projects in certain areas that are otherwise going to be done, and that is a slightly different question. One thing that we discussed previously as that you had asked me about whether we can create an impact fee strictly for historic preservation. The trick there would first to be able to define what is the impact that you are offsetting and how do you quantify that and how do you create an appropriate set of projects that you can pay into to mitigate. Because it is a fee, it is not a tax, and since the tax is not authorized by the legislature, you cannot just say that this is an additional fee that we are going to impose on developers to offset impacts to historic neighborhoods. You have to be able to show the impact that you are offsetting and that is a bit more detailed.

Ramon Trias: I think that is the real issue. Maybe we should come up with an idea on what money should be spent instead of identifying projects that are appropriate, because I think that is the frustration that takes place and sometimes the money is not spent in ways that are effective. So I would spend some time on trying to come up with those ideas.

Dennis Kerbel, County Attorney: You have to look at what the money is being spent on and what the money is allowed to be spent on. Perhaps the Parks and Recreation fund could be used to rehabilitate some historic properties, but the roadway trust fund can only be used for roadway capacity improvements.

Ramon Trias: That is the point that I wanted to raise. Let's say you get an impact fee for roads and then the only project you can do is a bigger road. Well that doesn't solve any problems right? The fact remains that the impact of that traffic could be solved through mass transit perhaps. The point of the impact fee is what projects make sense and that is where we need assistance or show some type of content to be developed. If the goal is to preserve historic resources, what type of projects should be done that the

fundamental mechanism is less important or easier to come up with then the actual ideas that should be implemented?

Dennis Kerbel, County Attorney: Before we go too far down the road looking at impact fees for historic projects, it is going to be very, very difficult to justify the use of the current impact fees that we have in place. I cannot conceive how the roadway impact fee, which is used for capacity improvements of the roadway network, could be used to rehabilitate a historic property. That has to be through capacity improvement and widening the roads. It can be used for bike walks, mass transit, all of which is well developed in the ordinance. I just want this group to understand that we don't have this magic pot of impact fees that we can use toward historic purposes. It would be better to look at other sources, to assume that the money is going to come from somewhere else.

Arva Moore Parks, Chair: What about publically owned historic properties?

Dennis Kerbel, County Attorney: The impact fee is tied to the impact of developments. The case law and Florida Statutes requires, and there is actually two levels of analysis, there is the federal constitutional analysis, which essentially is a taking, or are you paying to offset the proportionality, and then there is the Florida Statute authorizing that there be a benefit of some kind to the fee payer, which is why there is that tension, which is that in the roadways where you need to have it big enough where you can spend the money yet narrow enough that the person that is paying into it can see some kind of benefit to the roadway network that feeds into their property that they have impacted.

Neisen Kasdin: The neighbors can get a benefit from that as to what they assessed it at, but thank you Dennis it was an excellent explanation of the legal side. ticket I think this is a real briar patch that legally will be tough to come up with a model that is going to be defensible and I think that a lot of people are going to be attacking it and it's basically calling it an additional tax that is not justified.

Eddie Kirtley, County Attorney: Madame Chair, if I could just remind you of another idea that is related that this group had touched on previously, that moves away from impact fees but draws on a similar idea is a mitigation fund. For example, if a development was slated to include the demolition of a building that was over 50 years of age and potentially had some historic value, the developer could pay into a mitigation fund that could then be used for upkeep or other issues related to historic properties. The fact that a development is taking down one potentially historic building should require you to help maintain other historic buildings for the value of the community. This is not technically an impact fee.

Arva Moore Parks, Chair: Maybe some enabling language could go in the ordinance to that effect.

Becky Roper Matkov requested that a similar mitigation fund model be implemented elsewhere be researched for them to better understand how it could work.

Kathleen Kauffman confirmed staff could research that.

Dennis Kerbel, County Attorney: discussed the group's method of providing these recommendations. It may be more appropriate for the ordinance to actually spell out the various programs they are discussing, like the TDR program and mitigation fund, or the group can have recommendations that they want to make on the existing ordinance in terms of the process with other recommendations to direct County Staff or the Board of County Commissioners to explore these other programs to be implemented in some other ordinance, perhaps an additional term for the working group to come up with legislation in these specific areas. It may be problematic to have an ordinance that delegates to the Historic Preservation Board to develop these programs, because these are programs that ultimately have to be adopted by the County Commission. Essentially, it's too much legislation to delegate to a lower board; the BCC has to adopt these.

Arva Moore Parks, Chair: Requested clarification on the best way to proceed.

Kathleen Kauffman: Perhaps the recommendation from this panel would be to urge the BCC to develop a mitigation program that would benefit historic preservation.

Panel members discussed if it would be better for this group to be more specific than just urging the BCC to develop such programs, that perhaps they should spend some time developing the details of these incentives.

Arva Moore Parks, Chair: Confirmed that they would spend time at the next meeting developing proposals for mitigation, easements, and TDRs.

Ramon Trias: I suppose staff can provide some assistance towards this right?

Arva Moore Parks, Chair: Well we are going to have the other people speaking about the TDRs in the next meeting and give us some time and information on that topic to see what we can come up with.

Kathleen Kauffman: Going back to the tax issue, I found the state statute online, and it was 196.1961. This is the one that currently offers if you are a commercial or non-profit property, you could get a tax exemption up to 50% of the assessed value of the property. It doesn't mean they have to give you 50%, but up to 50%.

Becky Roper Matkov: Is this done anywhere else in the state and could this be a model that can be adopted?

Kathleen Kauffman: Yes. This is in our ordinance, but it is only available for commercial or non-profit properties and this is the one that we had a discussion and if this panel makes a recommendation to urge the County to ask the legislature to include residential, then the County would have the ability to pass an ordinance to give some percentage, just for the purposes of being designated.

Neisen Kasdin: I know that the County right now if you do improvements to historic properties you can get that 50% exemption.

Kathleen Kauffman: Remember this is only 50% of the assessed value of the property.

Neisen Kasdin: Would that require the County Code to implement that into the ordinance here?

Kathleen Kauffman: Yes.

Becky Roper Matkov: This is for being locally designated and not on the National Register?

Kathleen Kauffman: This could include properties listed on the National Register or locally designated, but remember this is the state statute, but the County could make it more restrictive. This would give the County the authority to do something like that. Right now this is only available to commercial and non-profit properties and we don't have 196.1961 in our ordinance as it is for the commercial and non-profits.

Becky Roper Matkov: So we should recommend putting that into our ordinance and then putting in residential historic properties.

Ramon Trias: Kathleen basically we support everything except the impact fees. Is that what I hear? It would be good to try and prepare some kind of memo from staff outlining our recommendations, and that would be a good outline for the next meeting.

Arva Moore Parks, Chair and Becky Roper Matkov and other panel members agreed.

Ramon Trias: I think the consensus is that impact fees are not a practical idea, but every other idea is good.

E. Jurisdiction over municipalities (opt-out)

Arva Moore Parks, Chair: I think that we have an agreement as to the jurisdiction over municipalities to opt out and we do believe that it should be an open period to allow municipalities to create their own ordinance.

Kathleen Kauffman: Indicated it is in the staff's ordinance to allow that municipalities to opt-out, but it is not open-ended. If the ordinance were passed as staff has proposed, they would have a period of time in which they could do their own preservation program and then that option would recur every 4 years.

Arva Moore Parks, Chair: The only issue is there needs to be some mechanism that the County can take back jurisdiction of municipalities not in compliance.

Morris Broad, V. Chair: What is the time frame where a municipality can speak up for its own preservation and how does that relate to every four years? It seems to me like a protracted amount of time.

Kathleen Kauffman: The way that staff had written it, whenever this would be adopted, they would have a year period to do their own ordinance, which is consistent with the time frame that we have given municipalities both when the ordinance was first enacted in 1981 and when we gave them another chance in 2003. They were given a 365-day period in which to decide if they wanted to do their own program or not. The reason we put in the 4 year recurring option, is because of the problem that we had in 2003. In 2003, the ordinance gave them a year to do it, but that was it.

Becky Roper Matkov: Why is there a time restriction at all? It seems if they are going to do all of the qualifying processes, why do they have to wait a year or four years. Why can't they do it tomorrow if they put in place funding and professional staff?

Morris Broad, V. Chair: If they cannot accomplish it within a year, then it goes to four more years and that doesn't seem reasonable. I think what Becky is saying makes sense. Why should there be a time limit? For a municipality it's a great deal of expense, time, and effort that goes into this to comply with the rules and regulations of the County ordinance. The time limit restricts it too much.

Ramon Trias: What was the policy idea for that restriction?

Lourdes Gomez: It was a matter of a thoughtful and deliberative process for the cities, but perhaps this can be corrected by having some requirement that they demonstrate in the item that comes to the County board for the approval to opt out, that they would be demonstrating how they met this criteria so that there can be some sort of assurance of compliance.

Panel members agreed that is a better approach.

Lourdes Gomez: That should be a requirement in the language, Kathleen, that there is a requirement that if you opt out, that there be an evaluation of the criteria.

Arva Moore Parks, Chair: I have also been informed that Opa-Locka doesn't even have a preservation board. Feels that there should be a strengthening of compliance.

Kathleen Kauffman: It is written in Staff's version, but certainly that would help our cause if this panel would support that because there has been no consequences in our ordinance and there is no procedure for us to deal with municipalities that weren't in compliance even now.

Arva Moore Parks, Chair: What about the possibility that the County would retake jurisdiction?

Ramon Trias: So can the ordinance have criteria that can be checked in cases like that in terms of enforcement?

Arva Moore Parks, Chair: If enforced, jurisdiction can be taken back by the County.

Ramon Trias: That would be a great approach.

Arva Moore Parks, Chair: That would be a good idea and Opa-Locka does belong to us.

Mitch Novick: I again think of Sunny Isles and what occurred there, they opted out in 2003 and now most of those mid-century motels are a thing of the past replaced by 50, 60 or higher story buildings. How do you moderate the municipality to make sure that they comply? Mistakes were obviously made.

Arva Moore Parks, Chair: Well if they opt out or if they don't, I think adding the possibility of the County retaking jurisdiction will help.

Morris Broad, V. Chair: I think that you have to give the municipality enough time to really thoughtfully decide whether they want to opt out and if so, what is involved in opting out? There are a lot of things that I think need to be considered and it is not a decision that simply, they want to opt out.

Arva Moore Parks, Chair: No they have to come up with criteria.

Morris Broad, V. Chair: I think that putting in these artificial time constraints is not really effectively doing what we are supposed to be doing because of the safeguards on the County level, because that are going to put municipalities basically in some kind of a straightjacket to begin with. They are not going to be able to do what Sunny Isles did. I can tell from Bay Harbor, and this I know and this is not the case and I said it to you before, we have a 75-foot height limitation and we don't have high rises like we have in other areas in Sunny Isles. Also, I might say this, a lot of the two story motels in Sunny Isles were poorly built, highly leveraged, they were most all on ground leases, which I'm

familiar with and the fact that it might not even have loaned itself to high rise development as we see it, I agree with you that these 50, 60 and up to 70 story buildings are not in the best interest of good planning. I know that in our own situation and a small municipality, there is a very, very strong feeling against increasing height limit.

Mitch Novick: In Sunny Isles, many of those mid-century buildings were designed by the same architects and same buildings that are in Bay Harbor Islands now.

Morris Broad, V. Chair: Well, those architects, and I knew all of them, I wasn't such a little boy, but was old enough to understand that what was going on financially and economically in these areas was such that those two story buildings were uneconomic. Development could have been done in a more civil and economical way.

Mitch Novick: I know that the economy has changed, but I feel that those buildings were economic and they did make sense at that time.

Neisen Kasdin: I remember Norman Giller was the architect for a number of those buildings, and Norman was an advocate for allowing the demolition of a number of his buildings there because he understood that they no longer had an economic use. Obviously, they could have done better in retaining certain historic elements and having new architecture that was more appropriate.

Arva Moore Parks, Chair: Nobody wanted to save South Beach either. What I am trying to say is that MiMo is going to be the next Art Deco. We need to think what's next and what is going to come.

Neisen Kasdin: In Sunny Isles, the architecture in most of those buildings were in the front where the façade or lobby was, the rest was typically a CBS block motor courts. It would have been interesting for them to have kept a lot of the elements of the architecture that were funny and whimsical and then built behind it.

Ramon Trias: And this is why I suggest that we talk about those things more as opposed to other things that don't carry out the ideas. I think we spend way too little time explaining why this is a good idea – the idea of preserving those buildings, and the value of the buildings.

Arva Moore Parks, Chair: I think we have covered everything but economic hardship and since we are going to have another meeting, I would like to discuss economic hardship further at the next meeting, because I know people want to go because it is quarter of 11. Is there any other discussion, because I think we have had a very productive meeting?

Neisen Kasdin: Thanked Kathleen for some very good changes to the ordinance, which he feels is going to make it a better document. Two things, there was one section that I

thought was very important, which has not been addressed which is the criteria itself. This is the guts of this and would like to have a discussion on the criteria. Secondly, Stan Price is not here, and I don't know if his proposed revisions have been distributed by email or handed out, because he would like to get Stan's input on this as well.

Becky Roper Matkov: Wanted to discuss with the panel that the Miami-Dade County Preservation Ordinance has been looked at by the State and it has been a model and so certainly we are bringing some good ideas and fine tuning it, it has been considered a premier ordinance for many years and this has been known by Robert Bendus, the State Historic Preservation Officer, which he stated in a letter to Rebeca Sosa that I gave all of the panel members a copy of the letter saying that before you start changing the basic information…

Arva Moore Parks, Chair: Before the next meeting Kathleen can you send us by email the revised ordinance with our revisions in blue and yours in red just for discussion, but it won't be final.

Dolly McIntyre: Requested to staff to try and get the minutes out earlier so we have a chance to review them because 27 pages the night before, the day before is overwhelming.

Arva Moore Parks, Chair: Requested Helen Rodriguez, Staff to start on the minutes and get them out earlier before the next meeting on February 6th.

Lourdes Gomez: Just to make sure what we are going to review for the next meeting. The draft of the revised ordinance recommendations, which need to be addressed to the Mayor because he is the one that has appointed you as a task force member. I know you still have the economic hardship issue and potentially other topics left to discuss and a draft of what you have decided,

Arva Moore Parks, Chair: But I think part of our recommendation would be to recommend the changes in the ordinance that staff did and we did.

Lourdes Gomez: Yes and also to endorse the staff's draft.

Morris Broad, V. Chair: Madam Chair what has been done with regards to opting out?

Kathleen Kauffman: You didn't vote on it, but what I have is that you want to take the time frame out of it.

Lourdes Gomez: And we also discussed having some review, whether it will be by professional staff or the board.

Becky Roper Matkov: Since we have voted on so many of these other items, maybe we should vote on this?

Arva Moore Parks, Chair: Let's vote on it.

Becky Roper Matkov moved that we do not have time limits on when a municipality can establish their own preservation board and that they must follow the criteria instructed. **Ramon Trias and Morris Broad** seconded the motion. Motion was approved by group vote.

Morris Broad, Vice Chair	Yes
Rodolphe el-Khoury	Absent
Neisen Kasdin	Yes
Becky Roper Matkov	Yes
Dolly McIntyre	Yes
Arva Moore Parks	Yes
Stan Price	Absent
Lyle Stern	Absent
Ramon Trias	Yes
R. Jollivette Frazier	Yes

Lourdes Gomez: So you still want the presentation from the persons as mentioned before Avra Jain, Lucia Dougherty and Scott Silver?

Kathleen Kauffman: Will it be a presentation or do you want them to help us with the TDRs?

Becky Roper Matkov: I wanted them to come and have them comment as resources.

Lourdes Gomez: And you also wanted a mitigation topic, correct?

Arva Moore Parks, Chair: Correct.

Kathleen Kauffman: You just want me to outline all of the economic incentives without the impact fee?

Ramon Trias: Right.

Kathleen Kauffman: So that you can just look at it all as one package.

Lourdes Gomez: Agreed.

Neisen Kasdin: Of course working with the County Attorney's office, we would need for you to work with them on the mechanics of how that would work.

Lourdes Gomez: That is why I want to do a draft, because I know there are going to be issues that we haven't thought of and if we write them out and discuss them with the attorneys we might have further questions for you.

Arva Moore Parks, Chair: Of course, draft is the key word at this point.

F. Tax Exemptions available to Residential – discussion in above text.
G. Economic Hardship – to be discussed at the February 4, 2016 meeting.

V. OPEN DISCUSSION BY PANEL
Nothing was discussed.

VI. HOUSEKEEPING
Nothing was discussed.

VII. NEXT MEETING: February 4, 2016, 9:00 a.m.

VIII. ADJOURNMENT

Arva Moore Parks, Chair adjourned the meeting at 10:55 a.m.