

**City of Coral Gables City Commission Meeting**  
**Agenda Item I-2**  
**May 24, 2016**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason**  
**Commissioner Pat Keon**  
**Commissioner Vince Lago**  
**Vice Mayor Frank Quesada**  
**Commissioner Jeannett Slesnick**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark**  
**City Attorney, Craig E. Leen**  
**City Clerk, Walter J. Foeman**  
**Deputy City Clerk, Billy Urquia**

**Public Speaker(s)**

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Agenda Item I-2 [0:00:00 a.m.]

Status update regarding Bahamian Village project and related court proceeding.

City Attorney Leen: Okay, now the next issue is Item I-2, status updated regarding Bahamian Village project and related court proceeding. So, I come to you with good news today. On Item I-2 -- and I would like to thank the City Manager. I would like to thank Peter Iglesias. I would like to thank City staff because a lot of people in the City have been working very hard to get the Bahamian Village project to move forward. And in particular, I would like to -- there's two components to this project. There is the community center project and then there is a commercial component, retail portion of the project. They're called Phase I and Phase II. Phase

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I, the community center portion of the project, has been permitted. The permit has been issued. And I would like to thank City staff for all the work that has been done on that. The City has been working with the Bahamian Village and with the County to get that done. And so, my understanding is that construction is going to begin soon. We've been expediting and facilitating matters. We've been waiving any fees that we're allowed to waive pursuant to law or pursuant to resolution, and we have been working very hard to get that done. And again, I will like to thank -- obviously, I'd like to thank the City Commission because you passed the resolution and you -- and in fact, Commissioner Lago and Commissioner Keon came to a meeting with Mayor Gimenez, and they were basically designated by the Commission to go to this meeting. And they went with the -- I went to the meeting and there were also representatives of staff. And it was a very positive meeting with the County. That brings me to the second issue. There is a lawsuit, and that's part of the reason why we went to visit the County. There is a lawsuit between the County and Bahamian Village. That lawsuit endangered this entire project because what was happening was there was a dispute between Bahamian Village and the County regarding a reverter clause. This property was originally transferred to the community -- and I don't want to go through the specifics of the transfer because it went first to the Lola B. Walker Homeowner's Association, and then it went to Bahamian Village. But the transfer was from the County basically to the neighborhood and to Bahamian Village, and that transfer had a reverter so that if this project wasn't completed by a certain date, it could -- and this is in dispute -- revert back to the County. And the County and Bahamian Village had different views of that reverter and they were litigating it. And the problem is that it was locking the property up so it couldn't progress. And the City was very concerned that this property could be locked up for ten years or something like that and it's already been a decade and there's not been work done, and we were concerned it would be another decade. So, the City intervened forcefully in the dispute. The Commission adopted a resolution that said that they would like this resolution to be resolved. Commissioners Lago, Keon, and myself, we went to meet with Mayor Gimenez. We then went to the County Commission and spoke in front of the County Commission. We got a very good reception from the County. I know Dona Spain also was very involved with that. We got a very good reception from the County and the matter is now in the process of being resolved. We are

waiting for certain milestones from Bahamian Village as to getting this project finished. Because the one concern the County continues to have is they know that the community center's going to be built, but they want to be sure that the commercial component is built as well. That's very important to them. As you all may know, there was an application that was filed before related to -- I think they're Tap 42. They were going to be -- is that their...

Commissioner Keon: I thought it was Chick-Fil-A.

City Attorney Leen: No, no. It was -- a couple of years ago, it was Tap 42.

Commissioner Lago: It was Tap 42.

Commissioner Keon: Oh, yeah.

City Attorney Leen: They were going to go in there. There was a whole site plan. There was an approval that was done, and it ended up falling apart. So, the main thing to take from that is next time it comes before us -- and I know they've talked about Chick-Fil-A, they've talked about other potential tenants, you know, that's really up to them. That's a business decision for Bahamian Village. But, the point I wanted to make clear today, after speaking with the City Manager and the Commissioners individually, is that the City -- whenever that application comes to us, we're going to treat that with the highest priority. City Manager has designated Peter Iglesias to be personally involved in this, and I greatly appreciate that. I will be personally involved as well. When the application comes, it will come to us. We will be working with Ramon Trias and we'll be working with Bill Miner in the Building Department to get that moved as quickly as possible, knowing that the Commission has passed a resolution and has given direction that this project is of preeminent importance to the City. So, we're just waiting, though, to get these milestones from Bahamian Village. We want to get the County to agree to them, and then we're going to have a formal settlement agreement slash -- it's called a tolling agreement, which will take care of the lawsuit and allow the parties to go forward and finish

building the commercial component, so I have good news, largely. Now, there is an article that came out in Miami today -- I will just raise that -- that seemed to indicate that the property was not going forward. I want to make that clear that that is not true. This is going forward. I know the City Manager has sent a letter to the editor. I also spoke to, I think, the reporter, and I know that the City has been as clear as possible that this is going forward. It will be done. The City -- to the fullest extent of our powers, we will work together to get this done, and I wanted to make that clear on the record today.

Mayor Cason: Great, thank you.

Commissioner Lago: If I could just have one last -- one thing. I know that...

Mayor Cason: Let me just say one thing. Is there any other of these items coming up that you think you're going to be needed to address before we -- you have to take off?

City Attorney Leen: No.

Mayor Cason: Okay, alright.

Commissioner Lago: So, maybe the only issue may be the lot split?

Mayor Cason: Yeah, that's what I was thinking, probably that one.

Commissioner Lago: I just wanted to say thank you to Craig, and to the City Manager and staff for really working through the Bahamian Village. I know it's been a long journey. It's been a journey that none of us here were involved in. This started close to ten years ago. The project, hopefully, will break ground in the next few weeks. Staff has done an incredible job expediting the process. I know that the developers and there's been some hiccups, but I spoke to Leona Cooper and she wanted to -- she sent you all a message saying thank you for your commitment.

This is an important moment for that neighborhood. That neighborhood has been neglected for many, many years, and I don't take credit for it. I give credit to this entire Commission for really making sure that MacFarlane is considered not only, you know, an area in the Gables, but a very important area in the Gables. So, once they break ground with the community center and they deliver on the financial mechanism to continue having that community center open, I think it's going to be something spectacular that's going to revitalize that area of our historic city. So thank you. Craig, you did a great job, by the way.

Mayor Cason: Very good.

Commissioner Lago: I mean, you take -- you deserve a lot of the credit for this and I really appreciate it.

City Attorney Leen: I appreciate that. It's an honor to work with this community. I know that -- I think it's -- the Commission has been so committed to seeing this done, and I know the community is deeply appreciative of it because they tell me every time I go there. Every time I see Leona Cooper and I visit her, Edwina Prime, Debra Kolsky, who's the developer, this is really important to them. And the thing that always gets me is Leona Cooper always says she wants to see this done while she's alive. That's so important to her. And we made the commitment to her to do everything in our power to see that happen.

Mayor Cason: Great.

Commissioner Keon: Can I just ask if you could -- F-4 is also similarly related. Could we do that really fast?

City Attorney Leen: Oh. Yes, I'm sorry, Mr. Mayor. F-4 is a -- oh, by the way, for F-3, I was wondering if the Commission could do a vote of support for the efforts of staff and the City Attorney's Office.

Commissioner Keon: On F-3?

City Attorney Leen: On F-3.

Commissioner Keon: Yes.

Mayor Cason: Sure.

Commissioner Keon: Yes, I would -- vote of support. And I think it needs to be -- I know that there is -- you know, there are residents and groups that are concerned about development and there has been discussion about putting ballot items on and whatever, and it's -- you know, it's important for them to understand that under state statute you can't do that. So, thank you for making it very clear. You've made, you know, an opinion available so that it can be explained to them why we can't go forward -- why we can't do that.

City Attorney Leen: Oh, you know, I made a mistake. F-3, you could do a vote of support, too, but I misspoke. I was talking about this item.

Commissioner Keon: Oh, okay.

City Attorney Leen: I'm sorry. Sorry, Commissioner.

Commissioner Lago: Yeah, but I...

Commissioner Slesnick: Date for ribbon-cutting, by the way, for the community center?

(COMMENTS MADE OFF THE RECORD)

Commissioner Slesnick: Okay, okay.

City Attorney Leen: I made a mistake.

Mayor Cason: If you want to do F-4 before you take off, let's...

City Attorney Leen: I meant...

Commissioner Keon: Okay, do F-4 really quick.

City Attorney Leen: I meant could you do a vote of support on F...

City Manager Swanson-Rivenbark: On the Bahamian Village.

City Attorney Leen: Where is it, the Bahamian -- on I-2.

Commissioner Keon: I move.

City Attorney Leen: On I-2.

Mayor Cason: I-2, alright.

Commissioner Keon: Yes.

City Attorney Leen: Forgive me.

Commissioner Lago: So moved.

City Attorney Leen: I-2.

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Mayor Cason: Consensus.

Commissioner Lago: So moved.

City Attorney Leen: Is there a consensus?

Commissioner Slesnick: Consensus.

Commissioner Keon: Consensus.

Mayor Cason: Yes.

Commissioner Keon: Yes.

City Attorney Leen: Those two magic words, Mr. Mayor.

Mayor Cason: Approved.

City Attorney Leen: So ordered.

Commissioner Keon: So ordered.

Commissioner Slesnick: So ordered.

Mayor Cason: So ordered.

City Attorney Leen: Thank you, sir.



Mayor Cason: I love it.

City Attorney Leen: That'll be noted in the record. The -- with F-3, we don't need a vote of support because I issued it as a City Attorney opinion.

Commissioner Keon: Okay, but thank you, yeah.

City Attorney Leen: You've accepted it unanimously, so I don't...