

City of Coral Gables City Commission Meeting
Agenda Item E-4
March 14, 2017
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)

Agenda Item E-4 [9:58:18 a.m.]

Time Certain 10:00 a.m.

An Ordinance of the City of Coral Gables Commission authorizing the City Manager and City Attorney to negotiate and enter into a Purchase and Sale Agreement related to a land exchange with C/LeJeune LLC involving the City's current Public Safety Building at 2801 Salzedo Street and the vacant parcel located at 250 Minorca Avenue that will be improved with a new Public Safety Building and a mixed use Parking Garage Structure; waiving certain requirements of the Procurement Code pursuant to Section 2-2011 and 2-583 thereof; allowing for the transfer of C/LeJeune LLC's owned development rights to 2801 Salzedo Street, which is outside the Central Business District; and allowing for an impact fee credit; and providing for a repealer provision, severability clause, and providing for an effective date.

Mayor Cason: Next we are moving to Item E-4, which a time certain at 10 o'clock.

City Manager Swanson-Rivenbark: So Mr. Mayor it's not a time certain by law, it's a time certain by courtesy. We think that this is a very important item; this is an item that you've actually been discussing for the last two years when we found that the renovation of the 2801 building would exceed \$20 million and you'd still have an obsolete building; and so there are components of this that deal with the Public Safety Building and there are also components of this that deal with the forward thinking for our Parking Department. You have today no parking garage north of Aragon Avenue, and you know that there is a tremendous need for parking. So we took the needs of the Public Safety Building and the needs of the parking and we brought them together. The cost of this will be paid for over the long term through the revenues associated with the parking, so it is not an impact to your bottom line. The Public Safety Building, we have already identified the funding for, but this is more related to a vacant parcel adjacent to the Public Safety Building, which would allow us to square off the Public Safety Building, currently it would have had to been designed as an "L" and we've been advised that that creates a more expensive construction cost, but it also allows us to construct a public parking garage with ground floor, appropriate retail, and City offices. So it is a multitude of projects. We did go to the Budget Advisory Board, the Property Advisory Board, the Parking Advisory Board, and the Economic Development Board and while the Property Advisory Board wearing their appropriate real estate market hat, would say from a commercial standpoint, this is not necessarily a good commercial deal, recognizing all of the multiple benefits that we will be receiving; the saving of the construction cost for the Public Safety Building, the additional 450 cars that we will have in the area. As you know, Lot 6 is already a heavily utilized Lot at the corner of Salzedo between Minorca and Alcazar. There are multiple benefits that we receive as the Property Advisory Board considers those, they understood this deal. The Economic Development Board voted in favor of this deal; the Budget Advisory Board evaluating what the impact could be on the City's financial position voted for this, and clearly the Parking Advisory Board embraced it and said, yes to this project. So we have the business side of the deal, we have the legal side of the deal, and we have the economic side of the deal to present to you. It is reflective of the letter of intent that you all allowed us to enter into. The conditions that were important to you we stood fast on and required them to be included in the agreement. As you know, this is an unusual situation where we will, if it goes through, get the property before our developer partners get the property at 2801, that's a three year gap almost, from what they would receive. So it is a complicated agreement, it is well thought out, well researched, highly recommended by the Advisory Boards that you all have appointed to represent you and to review the terms, and we look forward to presenting it today. I know that your time is limited today, you have a big agenda. We do have the history that we can go over. We have been to you multiple times looking at the condition of the building, looking at alternative sites, fine tuning this particular site, selecting an architect to do the design of the Public Safety Building, bringing the concept of land swap to you, bringing a letter of intent to you, and so we can review all of those

steps, otherwise if it's the prerogative of the Commission we can jump into the actual agreement that reflects the letter of intent that you all have already been provided.

Mayor Cason: I suggest we do that because we've been over the other parts many times and then we can come back if we have any questions or discussion.

City Attorney Leen: So at this point I'm going to read the title and then I'm going to provide you the Ordinance. So this is an Ordinance of the City of Coral Gables Commission authorizing the City Manager and City Attorney to negotiate and enter into a Purchase and Sale Agreement related to a land exchange with C/LeJeune LLC involving the City's current Public Safety Building at 2801 Salzedo Street and the vacant parcel located at 250 Minorca Avenue that will be improved with a new Public Safety Building and a mixed use Parking Garage Structure; waiving certain requirements of the Procurement Code pursuant to Section 2-2011 and 2-583 thereof; allowing for the transfer of C/LeJeune LLC's owned development rights to 2801 Salzedo Street, which is outside the Central Business District; and allowing for an impact fee credit; and providing for a repealer provision, severability clause, and providing for an effective date. This ordinance requires a four-fifths vote for two reasons; first, according to the City Code, any sale of land or exchange of land of this nature requires a four-fifths vote on two readings an ordinance. In addition, there is a waiver applicable here under two provisions of the Code. Those provisions of the Code are, Sections 2-2011 and 2-583 of the City Code. Your four-fifths vote today, assuming you do have a four-fifths vote that will be for both items. You are going to vote one time, but in that vote, that four-fifths vote, you are also going to be doing a waiver. The reason for the waiver will be explained, but it's basically because of the nature of this deal, it's with one party, so because there was a specific site that the City was interested in, it can't be a typical deal where you have a procurement and people bid, this is for a specific site, so it had to be with one particular property owner. So because of that there needs to be a waiver though of the Procurement Code, but it's something that is appropriate to be waived in a circumstance such as this, if you find that this deal is in the best interest of the City. In addition to that, I would also like to provide to you now for the record a copy of the updated ordinance that was provided to you yesterday by e-mail. The ordinance has been updated to reflect the terms of the deal. That contract has also been provided to you by e-mail. I'm going to provide you a copy of that as well now. In addition to that, I just want to note that between First and Second Reading there could still be edits to the contract. You would be approving the contract today and substantially the form that's provided by the City Manager and I would still have the ability to make edits to it to achieve your intent. We have Vivian de las Cuevas-Diaz who is our Special Counsel, she is going to talk about the legal terms, we also have Javier of course, and also Leonard from our Economic Development Department, they are going to be speaking about the business terms as the City Manager indicated.

Ms. de las Cuevas-Diaz: Thank you. Good morning. I'm just going to go through, let's call it ten bullet points that are in the ordinance, it kind of just describes the deal, to keep it easy, at any point if I'm not being explicit, please ask any questions. So we spent three months to get to an LOI (Letter of Intent) and we worked really hard in the last two weeks to really come to a

meeting of the minds in a Purchase and Sale Agreement, the one attached thereto. There was a lot of back and forth obviously, on what was important to the City and what was important to the developer, because unique to this deal. Like Craig said, is that there are two properties, as we know, we will enter into a contract, we all have due diligence on both sides, 30 days, but due diligence can also be extended to the extent that the environmental are not clean. At that point, we have the right to extend and make sure that we have a clean bill of health before we move forward. The first closing that happens is our (quote/unquote) “acquisition of the developer property,” so that we can start basically developing it for what we need it to be. The developer is allowed to stay on that property four months after we close rent free, per say, that’s the deal that was made. After four months we are ready to go forward. I know that Peter and ____ group have been working on plans and making sure that we can that we can break ground immediately thereafter to the extent that that’s possible. We have three years to do this work without any additional penalties to us. There is a schedule in the back of the contract that shows the penalties and basically if we pass our three year mark. By the way, in this contract the dates in here are estimated, because it depends when we sign the contract, when our due diligence starts therefore we’re in the four months, so this is an estimated time period. So basically, after the three years the City would have to pay about \$166,000 every month in order to stay on our site, by that I mean, we’ve closed on the Minorca site, we have not finished the development of our new Safety Building there, and we are still unfortunately needing to have a home in Salzedo for what our current uses are as the Police Station. We have the right to pay a month fee penalty, however we would like to call it for twelve months. On the thirteenth month of the following year, we pay \$1.25 for six months and in six months thereafter \$1.25 for another six months.

City Manager Swanson-Rivenbark: And Mr. Mayor, I’ll just jump in here. We have no intention of paying a nickel after that three year. We have met, we are meeting weekly, we have an architect that has done 79 public safety buildings, we will obviously be able to facilitate all the permit approval process, so while that’s a provision that we are aware of, we have no intention of having to have that provision exercised.

Ms. de las Cuevas-Diaz: Correct and obviously the developer wants their property sooner than later, so I think it’s in everyone’s best interest to move quickly.

Commissioner Lago: Quick question Madam City Manager, do you prefer that I have some of the simple questions that I have so that people can understand at home, shall I save them later for Peter after we’ve had this brief presentation or no.

City Manager Swanson-Rivenbark: It’s the prerogative of the Mayor.

Mayor Cason: Why don’t you go through all your points and then we can....

Commissioner Lago: Scheduling questions in regards to deliverables over three years.

City Manager Swanson-Rivenbark: I’ll make notes.

Commissioner Lago: Our responsibilities not the seller's, but our responsibilities.

Ms. de las Cuevas-Diaz: So in a perfect world we close in three months in the schedule attached, hopefully never comes into fruition. What it does do is it gives us some flexibility to the extent that we need it to make sure that the building is not only done, but that we can move into our brand new Minorca Building. Going forward, once we are ready we will close on the Salzedo parcel. At that point in time, assuming that none of these payments have been made, we will receive \$5.2 million from the developer at that time. So three years later in a perfect world, we own Minorca, they own Salzedo, we brought in \$5.2 million and we stayed on the Salzedo property throughout those three years without paying additional rent. One more thing, if the developer is not able, does not want to – long story short, if the developer wants to sell the property within the first twelve months after they purchased it from us, so it's Salzedo, we close let's call it January 1, 2020, for those twelve months if they want to sell it to a third party, we have the right of first refusal at any time, not just one time, anytime they do that during the twelve months. The deal is we have 60 days to exercise that option once they give us notice, and another, I'm sorry, 90 days to close, thank you; and at that point we would pay them \$11.5 million, which is what we are all saying we would pay today if we could just do a regular sale, plus reimburse them the \$5.2 million or whatever was paid to us, because we are exercising that option within that year. In addition to that there is, at the closing, I'm sorry, something that's very important and I'm going to go back, I'm sorry, at the closing of the Salzedo property, in addition to us receiving the \$5.2 million the developer will receive a \$2 million impact fee credit that is if we close. If we do not close, I just want to be clear, if we fail to close on that property because we just changed our mind, because we have a legal obligation to close at that point, then we have agreed that we would pay \$11.5 million, they would still get the \$2 million impact fee credit, because we defaulted or they have the right for specific performance, that is pretty fair, pretty honest. Obviously, very important to Mr. Codina was to not enter into a lawsuit with the City, so we worked on some liquidated provisions, obviously the goal here is for everybody to have their property and move on. I don't think we would ever see that at Coral Gables, but it's in there anyway. There is no broker's fee, I think that's important to you, and there is also an intent on what the developer will build and restrictions on what we don't want to see there. For example, it's OK to have a Walgreens or CVS within a mixed use project, but it's not going to be a freestanding, let's call it a Marshalls, for example, those are the restrictions that are in there. So it's been thought out, I'm open to any questions. It is a complicated deal, but I think we've reached some kind of a decent agreement.

City Manager Swanson-Rivenbark: And Mr. Mayor before the questions, one, we have an appraisal because it's an assemble next to it, our appraisal for the property that we are wanting to enter into the swap is for \$11.375 million today, which is why we were comfortable saying that in the event that we do not – in the event that they have a right of first refusal and they want someone to buy it, we will buy it, we will buy it for \$11.5 million very close to the appraised. The \$2 million impact fee was to represent the rent that we are not paying during that time. This is a 911 emergency operation center, we must be able to have a situation where the building is completed and they immediately move into it where no service is impacted. It is not, well, we'll demolish the building, we'll get around to it, we'll relocate our police officers. This has to be

done as a turnkey immediate move in operation. The conditions that have been placed on that contract helped form our recommendation to you that we should do the swap. It's not just the value of the Minorca property; it is the potential for the Salzedo property that is your property today. They are obligated to do a market rate, either office or residential or mixed-used building on that site. It is one of the considerations where we looked at in forming our recommendation and as I refer to it to Mr. Codina, we want a Codina caliber building at that site, and so that was an important consideration as well. Those are three pieces that I think you and your public need to know that we considered in making our recommendations to you.

Mayor Cason: And if there is a hurricane or act of terrorism, I'm not sure where, that would mean that we didn't want to move our police out in all this confusion...

City Manager Swanson-Rivenbark: We would delay it.

Mayor Cason: We would delay it.

City Manager Swanson-Rivenbark: We would delay because of an act of terrorism, nothing is planned, nothing is known. I don't want the public to be concerned, act of terrorism or a hurricane, we are allowed to delay that three year period specifically because of that, and that is dealt with in the contract as well as the letter of intent.

Ms. de las Cuevas-Diaz: Correct – it's very specific, the...provision.

Mayor Cason: Commissioner Lago.

Commissioner Lago: A quick question. In reference to the Salzedo Building, the existing Public Safety Building; the demolition of the building and any asbestos that's found that needs to be remediated that falls under the responsibility of the new buyer, the buyer, excuse me. Can I say buyer or...

Ms. de las Cuevas-Diaz: At this point we are calling it "Developer" and "City," only because we are both buyers and we are both sellers, we are both developing...

Commissioner Lago: I want to use the right jargon.

Mayor Cason: Swapping.

Ms. de las Cuevas-Diaz: So "Developer" let's call it the Codina Group and the "City" is us, and they recognize that there are environmental issues on our building. They have the right to do an environmental....

Commissioner Lago: It's structurally unsound also.

Ms. de las Cuevas-Diaz: Exactly – and they are consenting to that. As far as the demolition, nothing will be done until they purchase the property.

Commissioner Lago: And that's the key that I want some of the individuals who may be listening today, where it's basically almost virtually impossible and maybe Leonard can give us more of a barometer in regards to how difficult it would be for the City to find a building that could house all our employees, our staff, our vehicles, any auxiliary equipment. Forget the City of Coral Gables, can you imagine housing all these individuals outside the City of Coral Gables. Have you been able to find anywhere that could potentially suit our needs and this is rent free for three years, so there is a value?

Ms. de las Cuevas-Diaz: Rent free and a delayed closing at the end of the day, there are a lot of negotiations.

Commissioner Lago: I want everybody to be very transparent; I want to be very clear the flexibility of not only the City, but also the entity that we are getting involved with. I know you looked extensively.

Speaker: Right. There is no property to house our entire departments; we have right now about 86,000 square feet, that's used for operational purposes. To find office space of even that space even though we need more than that, you are looking in excess of \$5 million potentially for a Class B, Class C building potentially for three years.

Commissioner Lago: One of my biggest concerns over the last four years here has been the fact that, I think we haven't given the necessary service to the North Gables area in reference to our response. Our Police and Fire do an incredible job, but we kind of handcuff them a little bit because we don't have the facilities beyond Miracle Mile, and let's be honest there are delays, delays between Miracle Mile and certain streets in the area, cutting through Andalusia, Miracle Mile, Giralda, you catch those lights, even if there is no traffic, you still have a little bit more extensive travel time when you are dealing with calls in the North Gables area. I think that this just alone, based on the simple fact that it's more north; it's going to be a brand new building. I think it provides us with the necessary adequate response times to meet those needs of the residents in that area. Hopefully it will bring, not hopefully, I know it will bring down our response times in North Gables which have been a little bit of an issue. They are still great, they are still better than a lot of other cities out there, but I think it will give us a bit of added push; we'll be able to lower our response times.

Speaker: That's correct.

Commissioner Lago: The last question I have for Peter, our Assistant City Manager, if I may just ask him really briefly. This is where my own personal background comes into play. Let's talk schedules; you know schedules better than anybody else. When we talk about construction and soft schedules, the idea of design, how far along are we in reference to the architect that was chosen, which the City Manager mentioned has almost 80 similar projects under their belt?

Assistant City Manager Iglesias: Actually, we have a meeting to finalize it this afternoon at 5:00 p.m.

Commissioner Lago: So what are we looking at?- are we looking at conceptual CD's?

Assistant City Manager Iglesias: We have a 30 month schedule, 10 months for design, 20 months for construction. That gives us six months to actually work with, and we are structuring a C-MAR contract, Construction Manager At Risk, that will deal with that. So we are looking at actually a 30 month schedule, not a 36 month schedule for construction; looking at some type of liquidated damages if not finishing at 30 and actually damages if not finishing at 36.

Commissioner Lago: I know you have taken this into consideration, I'm just asking so that everybody can get a little more understanding of the necessary steps that we are taking to meet this 31 schedule. Have we already discussed about potentially looking out for the CM at Risk contractor who is going to go hand-in-hand with the design, so that we can meet this aggressive schedule.

Assistant City Manager Iglesias: We are already working, we have almost a CMAR contract, the CMAR contract is almost done, and so we want to get the CMAR in as fast as possible, so we are looking to get the CMAR just prior to finishing design/development, which is ideal. CMAR is being worked on now, consultant contractor is close to resolution, and we are trying to schedule it as fast as possible.

Mayor Cason: Nothing complicated and unusual about the building, it's a straightforward – these guys have done 79 of them so it shouldn't be anything...

Assistant City Manager Iglesias: Straightforward building. We do have some issues, its 911 some of those issues, but our consultant we are experiencing it, so we see no issue with a 20 month building schedule and 10 month design schedule, so that gives us six months leeway.

Commissioner Lago: Peter it's going to be a LEED building obviously, correct?

Assistant City Manager Iglesias: LEED Silver minimum.

Commissioner Lago: LEED Silver, OK. One of the final issues that I wanted to discuss is, potentially, I would like to see once we have some sort of conceptual design that it come to the Commission, so that we can maybe give some input. When I mean input, I want to give some input in regards to sustainability issues that I've seen in other buildings throughout the United States that are implementing these ideas, which again, they may have some upfront cost now, and I know that we are in a tight timeframe and also a budget, but I think it would pay huge dividends in the future.

Assistant City Manager Iglesias: We'll be happy to bring it in as soon as we finish design/development, we'll be happy to bring it in and do a presentation on it.

Commissioner Lago: Do you feel 100 percent comfortable with a 30 month schedule, as long as we get the CM contractor in as soon as possible.

Assistant City Manager Iglesias: We have a 30 month schedule; we are working actually, we are giving ourselves six months and the way that we are structuring the deal provides for liquidated damages at 30 and also damages at 36, so we are structuring a deal that will...Plus we are looking at expedited reviews and also peer review, so we are looking at all aspects of expediting this project.

Mayor Cason: So you won't have any internal bottlenecks in doing the reviews, we are going outside and getting the reviews.

Assistant City Manager Iglesias: We are going to do the internal review for everything but structural; structural we are going to do a peer review to value engineer the project as well and I'll be personally involved in that.

Mayor Cason: Commissioner Keon.

Ms. de las Cuevas-Diaz: One point of personal clarification, if you don't mind is the same schedule that I kind of pointed you guys out to, is the schedule that we are also using in this contract just to make sure how we are able to measure it. It's basically what we will be paying they are going to be damaged...so we are not pulling a number out of anywhere.

Mayor Cason: Got you.

Assistant City Manager Iglesias: And let me also say that we'll have specific milestones in this contract. For instance, topping out, they'll be a milestone, so we'll have specific milestones that we will look at as if those milestones are not met the project is delayed, and those will be part of our contract. So we are looking at this very – we realize that the timeframe that we have and we are acting appropriately.

Mayor Cason: Commissioner Keon.

Commissioner Keon: To the City Manager. I'm comfortable with the terms of your agreement. What I do question and I'd like your assurance on is the current Public Safety Building that now exist on Salzedo has been and is structurally unsound. It has not been a good building from the time it was built, it's been problematic. Our Fire Station Number 3 was a problematic building from the day it was built and has had to have a great deal of money reinvested in it due to a number of issues, a lot of them relating to structural and engineering. We know that we see significant delays on our streetscape project because of engineering drawings. So we have experienced and the public has seen a number of instances where there are problems, but because

of structural and because of engineering, how do you assure us, the Commission, how do you assure the public, that this is will be a good building that will service us for the next 20-25 years, at least, and not continue to cost us money because it is either poorly designed or poorly built.

City Manager Swanson-Rivenbark: And so Commissioner, our Assistant City Manager will respond, but as practice he was not here for Fire Station 3, he was not here for Fire Station 2, he was not here for the design of streetscape, and I actually physically recruited him because of those kinds of challenges as not only a structural engineer, as a building official, chief building official, as a highly respected development official, so that we don't have those kinds of problems moving forward. I just need to make sure that you understand that, that the public understands that, that he has been brought here to make sure that our \$200 million capital plan and our processes are improved, accountable, on budget, on time, and on quality. So with that, I'll have him answer your question.

Commissioner Keon: Thank you. And I would like to hear from you and I think it is important for the public to know and understand that, although you had spent a great deal of time here in the City, the role that you play now as an Assistant City Manager over Development is a very different role than the role you had previously in the City, and that you were the one that corrected the engineering and structural issues related to streetscape that finally moved us on, and were not here during the times when these other buildings were built. I have tremendous confidence in you, so tell us about you.

Assistant City Manager Iglesias: One of the key issues is we have a good design team and plus we are going to a proper review system. We will be reviewing these plans as they progress, which is something that is very critical in this process, we are going to look at value engineering, we are going to look at sustainability, and there are going to be submittals as the projects goes; as the project is, for instance 25 percent, 50 percent submittal, 75 percent, 80 percent, and so forth. Now those reviews we will do; we will also going to look at peer review for structural engineering that we will use to expedite, not only expedite the structural engineering, but also look at value engineering, how much money can we legitimately save. Nothing wrong with saving money as long as we get the same result. Value engineering is getting the same result cheaper, not something cheaper at a lower cost; and I will be personally involved in that structural engineering peer review and looking at all the structural engineering aspects of this project. So we are also going to use our current staff, we have a very good group of officials to not only review our plans, but also to look at the value engineering aspects and the construction aspects. We've got good stuff in development, electrical, mechanical and plumbing, that really can assist us in that. So we are going to do our due diligence completely through this project. We don't have time to waste and we intend to waste none.

Commissioner Keon: So you can assure us we are going to have a healthy building.

Assistant City Manager Iglesias: Guaranteed. Yes, we are going to have a healthy building. We are going to have a good building and for Commissioner Lago we are going to have a sustainable building.

Commissioner Slesnick: Peter just one short question. Currently the Public Safety Building has a lot of public parking in it and I can see why we want to build a public safety with no public parking in it and for safety issues. How big is the current Public Safety Building and is the new one going to be at least the same size or larger, if you take out the public parking space?

Assistant City Manager Iglesias: Right now we have a larger building by about 18,000 square feet.

City Manager Swanson-Rivenbark: I'm sorry, can you clarify. The building that we are proposing is going to be a larger building than the operational building. I believe the current building is 88,000 square feet of operation and the building that we are proposing is how much square foot?

Assistant City Manager Iglesias: Its 104,000.

Mayor Cason: So it's bigger for expansion.

Commissioner Slesnick: So it will be considerably larger.

Assistant City Manager Iglesias: We'll look at the cost right now because we have to come in budget, so that may be tweaked.

Commissioner Slesnick: And this is without the parking, the public parking.

Assistant City Manager Iglesias: The parking will be 480 cars.

Commissioner Slesnick: Because if we do annex Little Gables and it seems like we have more population again coming into the North Gables area, I really like having the Police Station or Public Safety on that side of downtown Coral Gables. I mean right now it's so close to U.S.-1 in its current location and I can see that the response time is slowing down because of all the traffic on LeJeune and Salzedo.

City Manager Swanson-Rivenbark: I will tell you as a Class 1 Fire Department, as Zone Officer Police Department, so our officers are in the zone, I believe that I will match our response times to anyone and they continue to show and exceed the requirements of the ISO rating, so I'm very proud of the performance. I don't want anyone in the North Gables to feel that they are not properly served. The issue of the public parking, the loss of it, absolutely true, we are not proposing a public parking within that building, which is why this land swap, which is the item that we are asking you all to consider today is so important. You know that the Lot 6 is a heavily utilized public parking lot; a lot of permit parking is used there. This allows us a 450 car garage that will be allowed to be permit and transient hourly parking so that the needs of that area are served despite the displacement of that Lot 6.

Commissioner Slesnick: And how many cars are in the current Public Safety Building?

City Manager Swanson-Rivenbark: The Public Safety Building...

Commissioner Slesnick: For non-police cars.

City Manager Swanson-Rivenbark: Well, we've reduced it overtime because of our desire not to have it. Originally, it was 300 and now it's about 100 parking spaces for the public, but it has been, quite honestly, more Mercedes Bens than the general public.

Commissioner Slesnick: I'm really proud of Police Department because very few cities have the rating that our Police Department has and we keep seeing they improve each year, but I just want to make sure that when we build the new building that we will have space, if we need more, another engine, or another fire rescue vehicle, and also space for those people that are actually sleeping in the building as firefighters would have space, so we are increasing the space, actual usable space.

City Manager Swanson-Rivenbark: The existing building, if you look at the comparison between what is there for the existing building today, a building that you can't park the fire trucks because it will collapse into the basement, that building, we will have – we have looked at what are the requirements for the space and how we better plan for it. You will have a gun range, you will have a training area, you will have some facilities that you don't have in the current building and then we also will absolutely have the appropriate number of fire required as Fire Station 1 gets relocated to that area, we will have the appropriate requirements for that building.

Commissioner Slesnick: And are we moving any other departments over there that are affiliated with public safety?

City Manager Swanson-Rivenbark: That is what we are evaluating. Are they best served within the Public Safety Building or should they be accommodated in the adjacent parking garage should you move forward with that, and that is the Parking Department, the Human Resources Department, the Information Technology Department, as well as CGTV. If the role of Information Technology, you know we have millions of dollars in the public safety technology program. If the Director of Public Safety believes it's most appropriate to have them in that building they will be in that building, but does the general public need to come apply for a job in our Public Safety Building, we don't believe so and we believe that they would be more appropriately served in the building next door.

Assistant City Manager Iglesias: This will also allow us to have a rectangular building, a sort of a L-shaped building, which will make it more efficient and I think will have some reduction in construction cost due to that also. The L-shape building, we can perfectly do the site in the L-shape building; however a rectangular building would be better.

Commissioner Slesnick: Thank you.

Mayor Cason: This is a public hearing; we have one card, two minutes, Mr. Holmes.

Mr. Holmes: Mayor and Commissioners, thank you for allowing me to say hello. As you know, I've been absent for the past five years or so, I have no real comment on this thing because I'm not a part of it. I do want to thank you; I think you all have done something great with replacing the police building that to me is a tremendous accomplishment. I congratulate you. The reason I signed up to speak today, I hope to be attending more regularly now and those of you who know me, know that really there is one reason I've spent so many years attending meetings in the past, it's a department store for downtown, so a light went off in my head when I saw this item, you know this is a dream, right, I'm describing a dream here, no relationship to reality, but my dream is what if we had said to our great leader Mr. Codina, hey, can you do a department store?- The reason I'm bringing this up to you is that maybe this opportunity will arise in the future. Thank you.

Mayor Cason: Thank you. Alright that closes the public hearing. Anymore discussion?

City Attorney Leen: Mr. Mayor the motion on this item to approve will include, as I mentioned before, it's a four-fifths vote, it includes a vote on the substance of the item on First Reading and also it includes a four-fifths waiver. In doing that waiver you are finding it is in the best interest of the City and the public, so just be aware of that, that finding is being made through the motion and approval.

Mayor Cason: Who would like to make the motion?

Commissioner Keon: I'll make the motion.

Mayor Cason: Commissioner Keon makes the motion, second?

Commissioner Slesnick: Second.

Mayor Cason: Commissioner Slesnick seconds, City Clerk.

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 10:35:08 a.m.]