

City of Coral Gables City Commission Meeting
Agenda Item H-1
January 24, 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
Assistant City Manager, Peter Iglesias
City Attorney, Craig E. Leen
Special Counsel, Vivian de las Cuevas-Diaz
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Economic Development Director, Javier Betancourt
Parking Director, Kevin Kinney

Public Speaker(s)

Josh Gelfman
Allen Morris
Anthony De Yurre
Steve Patterson

Agenda Item H-1 [0:00:00 a.m.]

A Resolution accepting the recommendation of City Staff to authorize contract negotiations for a period of up to six (6) months with the most responsive-responsible proposer, Coral Gables City Center, LLC, for the redevelopment of Municipal Parking Garages 1 and 4, pursuant to Request for Proposals (RFP) No.

City Commission Meeting
January 24, 2017

Agenda Item H-1 – Resolution accepting the recommendation of City Staff to authorize contract negotiations with Coral Gables City Center, LLC for the redevelopment of Municipal Parking Garages 1 and 4 and authorizing negotiations with TC Gables, LLC, should negotiations fails with the top-ranked proposer.

2014.10.23 and Section 2-1089 of the City of Coral Gables Code of Ordinances; authorizing City Staff to negotiate with the next most responsive-responsible proposer, TC Gables, LLC, for an additional period of up to six (6) months, should negotiations fail with the top-ranked proposer; and further reaffirming the City's right to pursue alternative courses of action.

Mayor Cason: I'm sorry. We're doing H-1. I'm sorry.

Commissioner Slesnick: No, H-1.

Mayor Cason: I thought this was the next one.

City Manager Swanson-Rivenbark: Okay, so we'll...

Mayor Cason: Yeah, H-1.

City Manager Swanson-Rivenbark: Postpone that discussion.

Mayor Cason: Yeah.

City Manager Swanson-Rivenbark: We're ready for it at your pleasure.

City Attorney Leen: Sorry about that. Mr. Mayor...

Mayor Cason: Sorry about that.

City Attorney Leen: And please, excuse me as well. Item H-1 is a resolution accepting the recommendation of City Staff to authorize contract negotiations for a period up to six (6) months with the most responsive-responsible proposer, Coral Gables City Center, LLC, for the redevelopment of Municipal Parking Garages 1 and 4, pursuant to Request for Proposals (RFP)

No. 2014.10.23 and Section 2-1089 of the City of Coral Gables Code of Ordinances; authorizing City Staff to negotiate with the next most responsive-responsible proposer, TC Gables, LLC, for an additional period of up to six (6) months, should negotiations fail with the top-ranked proposer; and further reaffirming the City's right to pursue alternative courses of action. This is the 10 a.m. time certain item H-1. Mr. Betancourt is going to speak for the City on behalf of the City Manager, and then I have a few words to say, as well.

Mayor Cason: Javier.

Economic Development Director Betancourt: Good morning, Mr. Mayor, Mr. Vice Mayor, Commissioners. For the record, Javier Betancourt, Director of Economic Development. At this time, if CGTV can place my PowerPoint up on the screen. I'll get started in the meantime. Again, I'm here to speak on Parking Garages 1 and 4. This is stage two of the RFP. You previously discussed stage one just a little less than a year ago, so I'm happy to report that we're finally here at the conclusion of stage two. There's a lot of history associated with this item. It's been a long time in the making. In the interest of time, I won't go through all the details. But suffice it to say, that we are now at the end of our stage two, but we're seeking authorization to negotiate with the top-ranked proposer. For those who aren't aware, the subject properties for this RFP are Garage 4, at 2450 Salzedo. That is the garage on Salzedo between LeJeune and Salzedo -- I'm sorry, the garage on Andalusia between LeJeune and Salzedo, across from the Publix, and Garage 1, at 245 Andalusia, between Salzedo and Ponce. Each of these garages are high demand parking garages, totaling 631 public spaces, but both are obsolete. Our objectives, as part of this RFP process, has been to replace what are currently those two obsolete parking garages that had many operational deficiencies with new parking garages. This would be above and beyond the recent cosmetic improvements to those garages completed by the Parking Department and Public Works. We want to add additional public parking above and beyond the existing spaces to replace the lost parking on Miracle Mile and meet the future needs of downtown businesses if you want to introduce appropriately scaled mixed uses, especially ground floor retail and residential onto Andalusia Avenue to support the City's goals for a

vibrant and walkable downtown. And finally, we want to pursue a holistic approach to these objectives that balances parking, planning, design, economic development, community and financial considerations. This is truly trying to thread the needle and find that right balance between those sometimes competing objectives. With those objectives in mind, the criteria for the RFP is set as follows. We're looking at the capability of the proposer and the development team, likelihood or feasibility of the project, the financial return to the City, the enhancement of the public parking supply in a cost-effective manner and contribution to the vitality, amenity and economic activity of and in the Central Business District. The proposals had three options from which to choose. Options 1 and 2 would both seek the redevelopment of both sites. Under Option 3, they would focus on one site. Option 3 was not pursued by either of the proposers. Option 1 and Option 2 are fairly similar. One would have put the bulk of the parking on Garage 1; the other one splits them fairly evenly between Garages 1 and 2. And both contemplate allowing or providing private development on top of those public parking garages, in addition to the ground floor retail. As you recall, about a year ago, you allowed all five proposers from the stage 1 RFP to proceed and submit to stage 2. Only two proposers chose to do so. Those proposers were Coral Gables City Center and TC Gables, LLC. I'll give you a quick snapshot of those development programs. There's a lot more detail available in your packets and a nice comparison of the projects in Attachment A to your package. Coral Gables City Center, LLC is composed of the Allen Morris Company and The Related Group. Also on their team is Associated Consultants, Incorporated. It's important to note that I am speaking specifically to version 1 of their proposal. They submitted three versions, but the Evaluation Committee and staff believe that version 1 should form the basis of our negotiations, and so that is the focus of my presentation. Total FAR associated with that proposal is 4.06. That does not include the paseo and some adjacent area, which brings that FAR down slightly, for a total development of 365,000 square feet. Ground floor retail proposed is a little over 28,000 square feet; 244 units of residential over Garage 4; nothing proposed in this version over Garage 1. They would provide 722 public parking spaces in Garage 1; 280 spaces in Garage 4, both consistent with the RFP. They would provide 48 spaces of private parking in Garage 1 to meet the demands of the retail space there. And I apologize. We missed this here, but they're also providing 519 spaces in

Garage 4 to meet the demands of both the retail and the residential. The height of each -- of those projects is 9 floors, 126 feet at Garage 1, and 16 floors, 208 feet at Garage 4. The project would encroach into Andalusia at both sites by five feet and into the alley by ten feet. Both of those encroachments were allowed as part of the RFP. Again, the details -- the further details with respect to this version and then an overview of versions 2 and 3 are all available in your packet. The second proposer is TC Gables, LLC, composed of Terranova, Gibson Realty, ZOM LIVING, the architectural team, Arquitectonica and ArquitectonicaGEO, and Kimley-Horn. It's important to note here that this project also includes the developer's private property on Miracle Mile. That's the property on Ponce and Miracle Mile that -- where the Starbuck's is currently located. The total FAR for this project is 4.04, which brings us to 460,000 square feet. Just under 90,000 square feet of that is ground floor retail, again, significantly more than the other proposer, because of the addition of their Miracle Mile site. They are proposing residential over both public parking garages, 187 units over Garage 1, and also included in the proposal, Miracle Tower on the Mile, and 148 units over Garage 4. Public parking here is almost evenly split; 500 spaces at Garage 1, 523 spaces at Garage 4. Private parking is also fairly evenly split with 452 spaces at Garage 1, 400 spaces at Garage 4. The height of the project is 10 floors, 122 feet, at Garage 1; 16 floors, 184 feet at the Miracle Tower on Miracle Mile; and 16 floors, 174 feet, at Garage 4. This project would encroach into Andalusia by 12 feet and into the alley by 10 feet. We formed an Evaluation Committee composed of members of various boards and committees that would be involved in the review of this project moving forward. That included Budget and Audit, Parking Advisory Board, Planning and Zoning, Property Advisory Board, and new to stage two is a member of the Board of Architects, which we felt was important given the design considerations in this stage of the RFP. I also want to thank my colleagues in the Department of Planning and Zoning, Parking and Finance for their support throughout this project. The Evaluation Committee met on two occasions. It met on August 4, where they heard proposals from both of the proposers, and then continued that meeting until December 1, where they ranked the proposers, as you see on the screen, with Coral Gables City Center, LLC version one being ranked first, followed by versions two and three, and then TC Gables, LLC. The recommendation of the Evaluation Committee was to authorize contract negotiations with Coral

Gables City Center, LLC, with preference given to version one, followed by versions two and three. City staff and -- leaning heavily on RFP consultant Barry Abramson, also conducted a thorough evaluation of the proposals. Some of the key findings and considerations are before you, starting with the fact that they're both experienced and meet the basic qualifications required for the project. However, the proposals contained varying degrees of nonconformity with the stated RFP requirements, preferences and objectives, which will need to be addressed during contract negotiations. Each of the proposals include elements that don't comply with the Zoning Code and Comprehensive Plan, including things such as height and setback, FAR, as well as TDRs. Staff remains concerned with many of these elements and will work to address them, again, during contract negotiations. Staff and the consultant developed the base case scenario, which was really used as an analytical tool by which to evaluate the proposals and found that base case scenario provides significantly higher financial benefits than does the developers' proposals. Staff will work with the developers during contract negotiations to significantly improve the financial terms. Again, with respect to the three versions submitted by Coral Gables City Center, version 1 comes the closest to meeting the City's stated objectives and we believe should form the basis of negotiations with that firm. However, if there are elements in versions two or three or other elements not included in the proposals that we believe would benefit the City, we would like to be able to consider those as well. Finally, we want to reaffirm the original expressed intent of having the garages redeveloped in phases to limit the impact of the loss of public parking on the surrounding community, and also that the public parking be under the City's ownership, and preferably, management, and that a strong preference for the Garage 4 site be structured as a land lease rather than a sale.

Commissioner Slesnick: What was that last part?

Economic Development Director Betancourt: I'll read it completely so that we're clear.

Commissioner Slesnick: No, just the last sentence.

Economic Development Director Betancourt: Sure. So, staff reaffirms the original expressed intent for the public parking to be under the City's ownership, and preferably, management, and a strong preference for the Garage 4 site to be structured as a land lease rather than a sale. We did allow for the proposers to propose for the purchase of the Garage 4 site, but we did highlight a strong preference that it be a lease and we continue to do so.

City Attorney Leen: Yes.

Economic Development Director Betancourt: One last slide, I'm sorry. So, our objectives in looking at this as staff was to advance the proposal that most closely aligns with the RFP's stated requirements, purposes and objectives, but also maintain the ability to negotiate with the second-ranked firm as needed and desired. We want to provide the ability to negotiate for up to six months on remaining issues of concern, many of which were already highlighted those include some Planning and Zoning issues, parking issues, and the financial return to the City. And we want to retain the option of pursuing alternative courses of action, including developing these sites on our own. Based on those objectives, our recommendation to the City Commission is as follows. Accept the Evaluation Committee's recommendation to authorize contract negotiations for up to six months with the most responsive, responsible proposer, Coral Gables City Center. Should negotiations fail with Coral Gables City Center, authorize City staff to negotiate with TC Gables, LLC for up to an additional six months. And finally, we want to continue to reaffirm the City's right to pursue alternative courses of action, something I believe the City Attorney will touch on.

City Attorney Leen: Yeah, so, at this time, I would like to briefly speak about the procedure that the Mayor has agreed to for this particular proceeding, and then just a few legal items to consider as well. So, first, what will happen is, once I finish speaking about the legal items, each of the proposers will speak for five minutes. The Mayor asks that there be no interruptions and to allow the five minutes to occur, and then there will be a time for Commission questioning of either proposer and then Commission decision. At each stage of this proceeding, I've made

some remarks to make sure that there were no incorrect expectations of any of the proposers. I wanted to make sure that this was a very transparent process and very clear as to what legal rights or lack of legal rights there were in this particular proceeding. This obviously involves City property central to Coral Gables and to our Central Business District and core functions of the City, including parking. Therefore, a decision was made right at the beginning that the City Commission should retain full control over this process, and they approved a special procedure for the procurement that's different than other procurements that we have done in the past. The City Commission has ultimately retained full discretion to determine how to proceed here, whether to go with one of the proposers or whether to do an alternative, and all that is -- all that right of the Commission is retained in the resolution that's before you today. The RFP, when it was originally approved with this special procurement procedure, was approved unanimously by the City Commission. The Commission reserved the full right to choose how to proceed at this moment and going forward. In addition, the parties retained no rights through this procurement. They had the ability to present their proposal and be heard, but they had no rights -- no vested right to be chosen or to have one of their proposals chosen, and the Commission retained full authority to decide what to do. There is no right to protest in this particular procedure and the Commission can proceed as desired. I stated that at each stage, and so I will state it again. If this is approved by the Commission, what you're being asked today -- and of course, you can change it, because you retain full discretion -- is you would negotiation for the -- up to six months with Coral Gables City Center, LLC. And if those negotiations did not work, then you would authorize negotiations for up to six months with TC Gables, LLC. At all times, though, you retain full discretion, including to consider alternatives. So, with that, I would turn it back to the Mayor. Madam Manager, do you want to say anything?

City Manager Swanson-Rivenbark: Mr. City Attorney, thank you for reviewing the history and for the clarification you've added. And we are asking the Commission not to allow us to negotiate for a specific project, but with a particular developer. Both developers are qualified. That is very clear in the stage one process. We have challenges and issues associated with each

of the projects that are being submitted, which is why we're saying we would like to have the right to negotiate with the developers, and then bring back that negotiation process to you.

City Attorney Leen: Yes. Mr. Mayor, that was my understanding. Thank you, Madam Manager.

Mayor Cason: Okay. Let's start with -- do you have a recommendation?

City Attorney Leen: Yes. I think, Mr. Mayor, you wanted to start with the -- with TC Gables.

Mayor Cason: Okay. Let's start with TC Gables.

Vice Mayor Quesada: I thought you were going to present from right here.

Josh Gelfman: I'm not a very good hurdler, and I'm also not a good crawler, so I thought going around was the best path.

City Attorney Leen: Mr. Clerk, by instructions of the Mayor, please put five minutes, and please remember that you will have additional time to speak if Commissioners ask you questions, and they're, of course, always free to ask any questions they desire. But we would -- the Mayor asked that you do it after the two presentations so each side gets five minutes.

Mr. Gelfman: Good morning, Mr. Mayor, Mr. Vice Mayor, Commissioners, Madam Manager. My name is Josh Gelfman. I'm speaking on behalf of TC Gables. I'm very glad to have an opportunity to speak with you today. The process of preparing and presenting this proposal over the past two-plus years has certainly allowed us time to, you know, think and learn and study the site. During the evaluation process and reading -- reviewing the recommendations of staff, we have heard in clear voices from many that the idea behind the Miracle Mile Tower that we suggested didn't quite fit the expectations of those. And as we referred in our proposal to an

alternative proposal, we thought it might be helpful for your thinking to understand pictures and ideas a bit better what that would look like.

Commissioner Keon: Can you enlarge the -- your font size because it's not readable from here. Or I can't read it from here.

Vice Mayor Quesada: You know something, I have a physical one. Take it.

Commissioner Keon: Did we get that?

Mayor Cason: Yeah.

Commissioner Keon: Oh, I'm sorry.

Mayor Cason: Go ahead and talk to it.

Mr. Gelfman: Okay. So, it -- we're...

Commissioner Keon: Go ahead. I'm sorry.

Mr. Gelfman: So, our new design's in form to fit staff feedback, to fit within the Miracle Mile zoning overlay and CBD zoning on Andalusia. We believe that, consistent with the proposal we submitted, this really enhances retail and it continues to bring -- it also brings residents to the CBD. And just to give you a sense of what this looks like if you're able to see -- this would be the project that we'd like to build. It's consistent with the Miracle Mile zoning on Miracle Mile. It contains 28,000 square foot of new retail space, the type of which would be very helpful at bringing new retailers to the Mile, and four and a half floors of apartments, containing 65 apartment units. To give you a sense of how we'd approach Garage 1...

Vice Mayor Quesada: I'm sorry. I know you have five minutes, but I'm sure the Mayor will allow us to tack on additional time. So, your original proposal that was given said 89,000 square feet of retail, and jump -- so it's switching up to 28,000 square feet?

Mr. Gelfman: No, that's 29 -- 28,000 square feet on Miracle Mile, 16,000 square feet in Garage 1...

Vice Mayor Quesada: Okay.

Mr. Gelfman: And there would still be over 30,000 square feet in the Garage 4 building...

Vice Mayor Quesada: Okay.

Mr. Gelfman: The reduction in retail of a few thousand square feet is because we've decided to put some apartments on the second floor of Miracle...

Vice Mayor Quesada: Okay. That's fine. I just wanted to understand.

Mayor Cason: Yeah, go ahead.

Mr. Gelfman: The Garage 1, as presented here, is only slightly modified from the way we've described in the past, because staff's expressed concerns about an encroachment on Andalusia. We also want to let you know that we can do a garage without an encroachment on Andalusia of more than five feet. It reduces the number of parking spaces per floor, but that's all.

Commissioner Lago: If I may. I mean, if you can encroach onto Andalusia, you'd also -- your footplate for the actual building would be larger, which would hopefully reduce the size of the building, which is something that...

Mr. Gelfman: There is...

Commissioner Lago: We would potentially -- I know we'll discuss this later, but I just want my colleagues to be aware of that if they don't know...

Mr. Gelfman: The initial thinking was designing the most efficient footprint for the garage...

Commissioner Lago: Yes.

Mr. Gelfman: While maintaining a desirable pedestrian experience comes up with the most cost-effective and user-friendly and smallest...

Commissioner Lago: And meets the City's...

Mr. Gelfman: Volume.

Commissioner Lago: Expectations.

Mr. Gelfman: And meets the City's expectation. That's correct. But I just also wanted to clarify that at this point in the project, we view that as a design detail and we're flexible, depending upon what you all believe is important. But the project conforms to the basic site plan that we had before at the ground level. And as we go up, you can see that there's a garage on top of retail on Andalusia. And on Miracle Mile, we have retail facing Miracle Mile. And on the second floor, we start to introduce apartments. And then on top of that, we have four levels of apartments set back at a 36-foot podium from Miracle Mile. And at 62 feet, we reach the top of the Miracle Mile building, which is inside of the Miracle Mile Zoning Code. And then the garage goes up for nine levels before -- excuse me, eight levels, before it reaches a ninth level, where we start to introduce residential amenities and residential units, and then there's a few more levels of apartments above until you get to the 16th floor, at 160 feet. Again, that's all

within zoning. It's -- the unit counts are slightly different in terms of parking space -- parking spaces are the same, but the unit counts and overall size of the building is slightly different than what we'd shown. But to -- as you consider your alternatives, you know, I just wanted you to understand that we've heard what you've said, that we've tried to improve the project to the public's benefit. We'd still be prepared to lease the property from the City. We maintain the entrances to the garages at the locations that the transportation consultants thought were the best places to keep them to minimize conflicts with pedestrian and vehicular traffic. We're providing new retail space in Garage 1, Miracle Mile, and if possible, in Garage 4, as well. We provide all the parking that was required by the RFP. And there's one note that I wanted to make about the financials that were included in your proposal -- in your analysis. We noticed that the way staff analyzed our financial proposal, it showed that the project was cashflow negative in the first few years, according to financial assumptions that you had made. We had used a different set of financing assumptions. But I just want to be clear that what our intent was, that though we've proposed that the City finance the cost of the garage and retain all of the net revenues from the operations of it, we would provide the City income that would mean that the net revenue from the garage, plus the additional real estate taxes the property generated, plus ground rent payments meant that the City, from year one, would be cashflow positive. So, if there was a difference in assumptions and analysis, that's something we would be very happy to work through and clarify. And I see that my five minutes are nearly up, so I will...

Mayor Cason: Do you have anything else you wanted to say, because we interrupted?

Mr. Gelfman: I think that if there's any questions that may surface then...

Mayor Cason: Okay.

Mr. Gelfman: I'm happy to stop now.

Mayor Cason: Thank you.

Commissioner Keon: Can I just ask for clarification? This is Garage 4?

Mr. Gelfman; That's Garage 1.

Commissioner Keon: This -- on the top?

Mr. Gelfman: On the bottom. Garage 1 is on the bottom.

Commissioner Keon: Garage 4 is on the top.

Mr. Gelfman; That's not a garage on the top. That's the location of the existing building that we own on Miracle Mile. So, in the lower right hand corner of the picture on Miracle Mile, that's where Starbuck's currently is.

Commissioner Keon: Right.

Mr. Gelfman: And that proposed...

Commissioner Keon: And what you're building is above it? This is yours and then the garage in the back?

Mr. Gelfman: The entire -- the -- there's no -- that's -- your -- I'm sorry. I didn't -- maybe I can just quickly clarify.

Commissioner Keon: What is this thing? It says current concept...

Mr. Gelfman: Okay.

Commissioner Keon: For Miracle building.

Mr. Gelfman: Right.

Commissioner Keon: What is that?

Mr. Gelfman: So, this -- okay. So, this right here is where Starbuck's is.

Commissioner Keon: Right.

Mr. Gelfman: This is Ponce. This is Miracle Mile. This proposal would require us to demolish the existing building we have on Miracle Mile that's...

Commissioner Keon: Oh, I see, okay.

Mr. Gelfman: Forty-thousand square feet...

Commissioner Keon: Okay.

Mr. Gelfman: And in its place, we'd replace it with a building of approximately 77,000 square feet. And raising the ground floor retail from 10-foot ceilings to 16-foot ceilings, introducing second-level retail that would attract the type of user to the Mile that's not currently there and bring 65 apartments, a mix of one- and two-bedroom units.

Commissioner Keon: Okay, so this is just a concept for the property you currently own? It has nothing to do with...

Mr. Gelfman: That's correct.

Commissioner Keon: The garage?

Mr. Gelfman: Instead of doing a 16 -- that would be the building we would build instead of a 16-story apartment building.

Commissioner Keon: Oh, okay. I understand. Okay, thank you.

Mayor Cason: Okay, thank you. Coral Gables City Center.

Vice Mayor Quesada: And Mr. Mayor, just to be clear, I'm going to have additional questions.

Mayor Cason: Sure, after they both finish.

Vice Mayor Quesada: Yeah, okay. Thank you.

Mayor Cason: Do we have to read that?

Commissioner Slesnick: That looks like your family bible.

Allen Morris: Sorry. It's taking a moment to get set up here.

Vice Mayor Quesada: Now you're set up, you've got about 30 seconds left.

Mr. Morris: Right.

(LAUGHTER)

Mr. Morris: This will be really fast.

Vice Mayor Quesada: There you go.

Mayor Cason: Start, get set, go.

Mr. Morris: Well, I've been working on this for five years, and very excited and honored to come before you today on behalf of an amazing and talented team and partners, with a vision for the renaissance of downtown Coral Gables. This is what I believe George Merrick would be proposing today if he were before you here. We submitted three variations of our plan, but are only presenting our recommended proposal for maximum economic benefit to the City and to Miracle Mile. Let me show you what we have. Coral Gables City Center. All of you are aware that we were recommended by the Evaluation Committee. The executive summary says why should Coral Gables City Center be selected to develop Garage 1 and 4 properties and the public parking resources for the City of Coral Gables. Thank you. First, we complied with the RFP requirements in height, FAR, density and no City financing. Actually, this is a copy of the RFP from the City of Coral Gables with the two amendments, and this is the response of our other respondent, and this is our response, 617 pages of original content, of analysis, of economic studies, pedestrian studies, parking studies, traffic studies, economic impact studies, engineering designs and architectural designs, and economic impact. So, we've taken it very seriously and very respectfully towards to the City of Coral Gables to do something that would be worthy of our city and our downtown. The parking, we'll be delivering 1,569 new parking spaces with over 1,000 parking spaces that will be owned by the City of Coral Gables. Shared parking and a smart parking system. Some have asked about whether the buildings were too close to Miracle Mile or whether the buildings are too large. Actually, not at all. We are set back, with both the Garage 4 apartment building, 164 feet from Miracle Mile, which is more than the 10 Aragon building currently on Miracle Mile. The -- this is the residential building. It's set back 164 feet. The office building is set back 164 feet, and the Westin Colonnade is set back only 153 feet. So, we're protecting and preserving the one- to two-story human scale, which is so important to us on Miracle Mile. The FAR of the preferred Coral Gables City Center proposal is 4.340, which is less than the maximum permitted in the City of Coral Gables of 4.375. But, the RFP says we

don't actually need to comply with the FAR, because of two things. It is a PAD and it is for public benefit. So, that's not that important, but it does give you a representative picture of how this is properly in context with the public standards. The building size comparison, we -- you can see here how the Coral Gables City Center residential building and the Coral Gables City Center office building are actually smaller than the Westin Colonnade, which is used in the Coral Gables Zoning Code as an example of what the City wants in Coral Gables, and much, much smaller than Mediterranean Village, not as tall as Alhambra Towers, that we developed, and certainly, way below the height of the Biltmore Hotel. This is particularly exciting for the City of Coral Gables and for us to be able to do this with zero dollars from the City of Coral Gables. And as we weigh the different benefits of the City of Coral Gables and Coral Gables City Center, it requires zero capital investment from the City, zero construction risk, shared parking revenue, 1,000 public parking spaces, the simple ownership of Garage 1 land and the garage spaces, and the Coral Gables -- and many other benefits, and the City Center project -- Coral Gables City Center project would get fee simple ownership of the Garage 4 land and the shared parking revenue and shared access to the City parking spaces, and all air rights above the Garage 1 for the office building that will generate more economic activity for the Miracle Mile, the residents, the retailers, the restaurants on Miracle Mile. And I'd be delighted to answer any questions. We welcome your questions. We have three short videos that can describe the project very succinctly, and we look forward to partnering together with the City of Coral Gables to create something that will be truly beautiful and great. Thank you.

Mayor Cason: Thank you, Allen.

Commissioner Keon: Could I ask one question? There were -- you had three proposals. You said...

Mr. Morris: Yes.

Commissioner Keon: There was three proposals, and which one are you presenting, one, two or three?

Mr. Morris: The preferred proposal, which is alternative three...

Commissioner Keon: Okay.

Mr. Morris: Which includes a higher tower on the office building than the...

Commissioner Keon: Okay.

Mr. Morris: With a statue of Ponce de Leon on top of the tower.

Commissioner Keon: Lovely. But the recommendation from staff, I think, when you...

Mayor Cason: One.

Commissioner Keon: Discussed was -- I'm sorry, Javier, is one. Okay, so we're not talking about one. We're talking about three; is that right? I just want -- for clarification.

Economic Development Director Betancourt: Correct, both the Evaluation Committee and staff are recommending version one as the...

Commissioner Keon: Okay.

Economic Development Director Betancourt: Basis for negotiation.

Commissioner Keon: But we're presenting three, okay.

Mayor Cason: But with...

Economic Development Director Betancourt: Yes.

Mayor Cason: A possibility of including elements from the other two.

City Manager Swanson-Rivenbark: Yeah, and so...

Economic Development Director Betancourt: Yes.

City Manager Swanson-Rivenbark: We're just going to remind you we're not awarding a bid. We're not picking a project. The recommendation is to allow us to negotiate, but the staff -- the Evaluation Committee are recommending that we use the first version as the baseline of the conversation.

Mayor Cason: Could you talk about the parking, the technology involved in the parking?

Mr. Morris: Be happy to address the technology in the parking. I also want to introduce my partner, Jorge Perez, that many of you already know. Jorge, thank you for being here today. And Steve Patterson, president of Related. Probably the best way to describe the parking is with a video. We have three videos: 1, responding to the RFP's question of are the developers qualified; 2, how will this create economic activity for the City of Coral Gables and for Miracle Mile, particularly; and 3, how will this solve the parking needs for downtown Coral Gables.

Mayor Cason: I'd be interested in the parking one, just the parking one.

Mr. Morris: The parking? Would you like to see that video?

Mayor Cason: Yeah.

Mr. Morris: It's a very short video, and it'll tell the story quickly. Can you run video number three, please? Actually, video number two addresses it, too. I'd like to suggest that...

Mayor Cason: Whichever one that...

Mr. Morris: They're both very short.

Mayor Cason: Okay.

Mr. Morris: Video number two, and then it'll lead right into video number three.

(VIDEO PRESENTATION MADE)

Mr. Morris: In the video, Steve Patterson said we could eliminate people searching for parking spaces, and book a table, book a space and save a mile.

(COMMENTS MADE OFF THE RECORD)

Mayor Cason: Let's go to this one.

Unidentified Speaker: (INAUDIBLE) Super Bowl.

Mayor Cason: Let's go to this one.

Mr. Morris: Really special.

(LAUGHTER)

Mr. Morris: We're delivering more than we promised.

Commissioner Keon: Could you go back?

Mayor Cason: Wow. Is that called a teaser? Moving smartly forward.

Commissioner Keon: Is that for your next show or the last one?

(VIDEO PRESENTATION MADE)

(APPLAUSE)

Mayor Cason: The -- if you, under this parking app, if you say you want spot 174, how do you keep somebody else who is driving around from parking there?

Mr. Morris: Well, there's several ways to do it. And when we get into it with our parking consultants, with Walker Parking, who we're working with, we'll decide and recommend to the City what's the best way to do it. One of the ways is to have lights -- reserved lights on those spaces that are taken and being paid for. And so, you know, we -- as a manager of office buildings and parking garages, we have this happen all the time where somebody may take a reserved parking space that's somebody else's space for a time and we have to move them out and make the space available to the person that's supposed to have that space and who is paying for that space. But it can be done with lights. It can be done with barrier arms, and we'll decide, which is the best recommendation to make at the time.

Mayor Cason: Okay, thank you. Discussion. What we're being asked to do is -- today is not to get into the details of what will be negotiated over six months, but to approve the selection of Coral Gables City Center and let the staff begin negotiating. Is that correct, City Manager?

City Manager Swanson-Rivenbark: And it's not only the selection, but the allowing us to...

Mayor Cason: To negotiate.

City Manager Swanson-Rivenbark: Negotiate with the top-ranked for up to a six-month period. And then if we don't sense the progress, then we have the right to move to the second-ranked, and then as -- and the second-ranked being the TC Gables. And as Javier noted, at the suggestion and encouragement of the Commission, we will also be developing alternate proposals of the City itself, which has been a process all along the discussion.

Mayor Cason: Okay.

Vice Mayor Quesada: You know, I have the same question for both groups. So, when I looked at the Abramson report that was put together for us, we sort of have like an apples to apples comparison, and I sort of want to run through some of those details for both groups for your -- for, you know, Terranova's version two and for Allen Morris' version three. Because when I look at that, you know, I see the FAR and the retail and residential. It's broken down nicely, and I know this is something for staff to negotiate, but at least from my perspective, I feel like I don't have a good grasp of the details of what both sides prefer to present to us. So, for example, under the FAR, I guess I saw that from that presentation, but Allen Morris, the original -- on one was 4.06. Terranova was 4.04. What is it for version three? It's 4.3 -- was it 4.340?

Mr. Morris: On Version three?

Vice Mayor Quesada: Yeah, version three.

Mr. Morris: Why don't I let Anthony address that?

Vice Mayor Quesada: I'm going to have a few detailed questions like this, if you don't mind just walking through it.

Anthony De Yurre: Anthony De Yurre, Bilzin Sumberg, on behalf of Coral Gables City Center. The version one...

Vice Mayor Quesada: And actually, just real quick. And Josh, if you don't mind, I'm going to ask you the same exact questions. So, if you want to sit down and write them down then just repeat it to me when I'm done with them. Again, I just want to be very clear on the record what the details are for your version two and your version three. Okay, so the FAR, was it 4.340?

Mr. De Yurre: The FAR of our version three proposal is the 4.34. And I want to be clear, you have the building site to calculate that FAR, and the building site includes -- is allowed by Code the ancillary properties that will include the paseos, okay. And the FAR allows -- excuse me, the RFP allows you bringing development rights from the alleyway, and it allows the encroachment over Andalusia. So, what you have is a building site that includes those three areas, as Javier Betancourt described earlier, that it does bring down our FAR if you only counted the garages.

Vice Mayor Quesada: Okay.

Mr. De Yurre: And I think that if you look at the PowerPoint that was presented also, you'll note that both of our -- our version one and Terranova's proposal have an FAR of 4.04, and yet, they have 100,000 extra square feet in their project. And the way that that's accomplished is because they're including a much larger building site area, which is not just the garages.

Vice Mayor Quesada: It includes the property that they own.

Mr. De Yurre: And the paseos and the alleyways, it includes their larger project that they have on Miracle Mile. And so...

Vice Mayor Quesada: Don't worry about their project right now. I just want to get some basic details on your version three.

Mr. De Yurre: Sure.

Vice Mayor Quesada: If you don't mind. Retail will still be at 28,000, your version three?

Mr. De Yurre: The retail will remain the same.

Vice Mayor Quesada: Okay, so residential, 244 units and building 4 -- in Garage 4?

Mr. Morris: I think it's 270 units, isn't it?

Mr. De Yurre: Yeah, we add an extra floor, that'll get us up to about 270 units.

Mr. Morris: 270 units.

Vice Mayor Quesada: And all of them remain in building -- in Garage 4?

Mr. De Yurre: Correct.

Vice Mayor Quesada: Public parking, before on version one, you had 722 and 280, split up by Garages 1 and 4. Does that remain the same or does that change?

Mr. De Yurre: The total amount of parking remains at 1,569 spaces; 799 in Garage 4, 722 spaces in Garage -- excuse me, yes...

Mr. Morris: 770.

Mr. De Yurre: Seven hundred and seventy spaces in Garage 1. The difference being is we apply the Coral Gables brand-new shared parking ordinance that was actually passed and contemplated to be incorporated during the RFP if it did pass, to provide a shared parking between our two different uses, which are perfect for shared parking. It's the whole envisioned concept of shared parking. You have office during the day, and then you have residential at night.

Vice Mayor Quesada: Got it.

Mr. De Yurre: And so, those completely offset each other and allow it to meet the parking requirements.

Vice Mayor Quesada: And the last question from my apples to apples is height. You're still -- do you remain at 126 and 208?

Mr. De Yurre: The height requirements, I'll tell you right now...

Mr. Morris: (INAUDIBLE) 190 feet and six inches, not an inch above it.

Vice Mayor Quesada: And which building --, which garage is that?

Mr. De Yurre: On both.

Vice Mayor Quesada: On both?

Mr. De Yurre: On both.

Vice Mayor Quesada: Okay.

Mr. Morris: Our Garage 1 office building and Garage 4 residences.

Vice Mayor Quesada: Got it.

Mr. De Yurre: Those are for -- I'll clarify -- occupiable space. The Code allows for height for towers and cupolas and architectural elements.

Vice Mayor Quesada: Got it.

Commissioner Slesnick: And Anthony, if you could, just for the public, identify Garage 1 in the location, which is...

Mr. De Yurre: Sure.

Commissioner Slesnick: An office building, which is...

Mr. De Yurre: Sure. The Garage 1 location is the one that's adjacent to the...

Commissioner Slesnick: Miracle Theater.

Mr. De Yurre: And behind the Miracle Theater. And the -- and it starts on Ponce de Leon and goes to Salzedo, I believe. And then the other garage is the Garage 4, which goes essentially from LeJeune to Salzedo and also...

Commissioner Slesnick: It's across from Publix.

Mr. De Yurre: And also facing Andalusia. Across from Publix.

Commissioner Slesnick: So, one is up near Miracle Theater, and Garage 4 is across from Publix.

Mr. De Yurre: Correct.

Commissioner Slesnick: And Garage 4 is residential, and Garage 1 is office space.

Mr. De Yurre: Correct. Garage 4 is your residential garage. Garage 1 is your office garage. And we found it was critical to be able to comply with the RFP, provide maximum economic benefit to the City. During the day, you have your corporate cards, your Class A tenants in one tower, and at night, you have your residents that are coming in there and staying in larger units that are designed for actually end users, not to be rented out to third parties.

Mayor Cason: Your -- what are the size of the units you're contemplating? Are they going to be like efficiencies, one bedrooms? Or are they going to be two and three?

Mr. Morris: They're slightly larger than some of the other apartments...

Mayor Cason: Right.

Mr. Morris: Units in...

Steve Patterson: Yeah, the average is about 1,100 square feet. The three bedrooms are fairly large. They're up to 1,500 square feet. And the smallest units, we've got 800 square foot one bedrooms in the project as well. A lot of the average is skewed up, because we have more twos and threes than...

Mayor Cason: Got you.

Mr. Patterson: You typically would.

Mayor Cason: Okay, thank you. Javier, do you want to add something before we move -- let the other applicant...

Economic Development Director Betancourt: I just want to point something out that I think might be helpful to your questions. In your packet, under Exhibit A, Attachment 1, you do have a very detailed, side-by-side comparison of all four proposals, so all three versions and the TC Gables proposal. And I would say that we probably disagree on some of the figures that have been presented, including FAR, which we have for versions two and three at over 5, so it all depends on how you interpret some of that.

Vice Mayor Quesada: Well, I think that's why Mr. De Yurre was explaining.

Economic Development Director Betancourt: Yes.

City Attorney Leen: Also, Mr. Mayor -- and special counsel raises with me for the City as well, obviously, what's being considered today is who to negotiate with. And what's been presented to you is an actual proposal, which was number three. So -- but I just want to be clear for the record that what the Commission is approving -- if you approve what's -- the resolution that's presented to you, which, obviously, you don't have to. But, if you do approve what's being recommended by staff, then what would happen -- and the City Manager -- then the City would enter into negotiations with Gables City Center, and that would be based initially on number one, although it's not really any specific proposal. Now, if you want to provide input to staff as to whether -- if you want to provide any guidance for those negotiations, you're free to do that, of course.

Vice Mayor Quesada: But it's imperative for us if both of the potential applicants are favoring one variation of what they're proposing to us, that we fully understand what they are.

City Attorney Leen: Of course.

Vice Mayor Quesada: And that's all I'm just trying -- that's all I'm trying to get here.

City Attorney Leen: No, Vice Mayor, I -- obviously, you can ask whatever you would like. I agree with what you're doing. But ultimately, when you make the motion, whatever you do, if you're going to provide staff as to a particular proposal, I recommend doing that along with the motion.

Vice Mayor Quesada: Of course. Logical, thank you. So, Josh, if you don't mind, same basic questions for you -- you know, for your number two. The FAR?

Mr. Gelfman: Sure. Mr. Vice Mayor, if I may answer that question to clarify what our preferred proposal is and talk about the FAR at the same time. The FAR for the project that we've showed today is three and a half...

Vice Mayor Quesada: Okay.

Mr. Gelfman: Which is consistent with the zoning permitted for the site with the Mediterranean bonus. We've elected to focus on a project of three and a half FAR, because, frankly, we've seen how long it's taken to get to this point. And I want to really commend the other respondent. That was a really beautiful presentation they put together on their project. We want you to know that if you want to go ahead with a project that complies with zoning, we're prepared to give you a very fair deal economically. We're prepared to do the project without variances and do the project as we've showed it.

Mayor Cason: But for the record, just to be clear, the project you presented that you are willing to do, if we want, was not the one that was presented to the Evaluation Committee?

Commissioner Keon: No.

Mr. Gelfman: It was -- that's correct. That was -- the pictures were shown here for the first time.

Mayor Cason: But you're saying that if the six months went by and it didn't work out, you would offer something different?

Mr. Gelfman: Well, I guess what I'm saying is not time bound. I'd be prepared to offer something different if asked by the Commission tomorrow. And you know, if asked, you know, by the next Commission meeting, prepared to offer additional financial information. Just to be clear, not that I'm contesting your own choice, but just so that you understand where our motivation is.

Vice Mayor Quesada: You and I had a conversation about City financing of the project. And you were -- you would prefer to have City financing of that project.

Mr. Gelfman: We think it's a better deal for the City if the City uses funds that they have access to finance the public portion of the parking garage.

Commissioner Lago: We had a similar discussion when we met. Can you give the public just a little bit of clarification in regards to why it's your opinion why City finances should enter into play here?

Mr. Gelfman: It speaks to the nature of what the type of project is. The asset that's being requested to be financed is a public parking garage. According to the terms of the RFP, it would be used for public parking at the discretion of City staff. That means that -- and according to rates that are controlled by the Commission. So, if you're looking to underwrite it and you're assessing what the potential cashflows are, it's not clear, and that means that you could have terrific cashflow, if it's a highly transient garage or terrible cashflow if the City elects to put 300

cars and any boats you may own in the garage, preventing the public from parking there. Not saying that's in your interest or rational, it's just a potential risk in underwriting it. Therefore, the private cost of capital for the garage, because of all the unknowns, would be very expensive. By contrast, if it's public financing, it fits the public use of the garage for public parking. The cost of debt is very low, and we think the equitable arrangement would be to be managed by a private operator according to governance that's jointly controlled by an affiliate of the developer and the City, so they meet for regular board meetings and approve budgets and expenses. And all of the revenue net of the cost of operating the garage in our proposal would be returned to the City to serve debt and other uses.

Mayor Cason: Do you have other questions? Were all your questions answered, Vice Mayor?

Vice Mayor Quesada: No. I wanted to go down into additional detail, but I'm just thinking about the public financing aspect that you just discussed. And I -- and when we first spoke about this, I thought about it a little bit differently. It was probably my mistake. I misunderstood the first time, but I'm clear on it now. And what's the amount that you anticipate of the City, the public financing aspect?

Mr. Gelfman: Approximately \$20 million.

City Manager Swanson-Rivenbark: And sir, I just want to caution you. We haven't been at the negotiation table.

Vice Mayor Quesada: Right. I realize that.

City Manager Swanson-Rivenbark: We haven't been on either side with that. If you say that you want to pursue a community development district for the X number of public parking spaces where that is carved out, that's certainly something that, you know, we can do and the revenues that pledge the payment. I've done it before. If that's something that's a desire of the

Commission, we can figure that out. What we really wanted to do was be at the table. The RFP process does not allow back and forth with the developer and City staff. We'd like to meet with you all individually, get some marching orders and convert that into some draft documents, including the project itself. But the RFP didn't allow that type of conversation to happen yet.

Vice Mayor Quesada: No, I'm aware. But if there are new issues for us to be aware of that can help us in either making this determination or having a better project, whoever we end up going with, then I want to have those conversations.

City Manager Swanson-Rivenbark: Absolutely.

Vice Mayor Quesada: Yeah.

Commissioner Lago: Another thing that I wanted to discuss, Mayor, if I may -- and I don't know how my colleagues feel about it. I wanted to kind of discuss about our current parking needs for those two parking garages. Because one of my big concerns is that we're requesting -- again, I'm no parking expert. But we're making an ask of close to a thousand, or if not a thousand, parking spaces, and that's going to affect the massing of the building, which is something why we rewrote the Parking Code and we allowed for shared parking, which is something that other cities have been doing for a long time. And now you won't have this situation, hopefully, in some of the developments that come before us where you have two or three levels of parking just completely empty for days, months, if not years at a time, which is currently going, which again, makes buildings look bulkier. They have to be taller, and they're basically inefficient, because the cost goes up due to the fact that you have to build these parking spaces, which are not even in use. So, what I wanted to also clarify and get some information for us --, because maybe a thousand parking spaces is not the ask. People -- well, we're hoping that the County and that our state legislators can provide some guidance and really deliver on mass transit. So, as you ask people to start using mass transit and people will get out of their cars, hopefully...

Mayor Cason: Uber.

Commissioner Lago: Uber. Hopefully, you know, parking requirements will start to dwindle over the next decade to two decades. Can I get our Parking director to come up for just one second? I have some questions to ask.

City Manager Swanson-Rivenbark: Excuse me. So, in terms of demand, in terms of supply, in terms of functioning of those Garages 1 and 4, no one knows it better than Kevin Kinney, our Parking director, and that's why I've asked him to come forward to answer your question.

Commissioner Lago: Thank you.

Mayor Cason: Kevin.

Commissioner Lago: Quick question. How many parking spaces in both garages are available right now for end users, for people who want to come and visit the Mile, not for rent?

Parking Director Kinney: No, absolutely. And I have to start -- this will take just a couple of minutes. When we did the parking demand study that kind of set up this RFP, the recommendation from the consultant was that we needed to replace 835 to 1,000 spaces. That was the range we were given. And of course, when it went into the RFP, the request was for 1,000 spaces. At that time, based on the supply that we have, yes, there was some capacity, but it was not that much. Garage 1, for example, in 2013, when they came and did the demand study, on a typical Thursday or Friday or Saturday, we would be at around 90 percent, plus or minus. At that time, we were selling between Garage 1 and 4, which are the two we're talking about, 620 monthly permits. Now, that sounds like a lot for two garages that are 630, but typically, it's only a small percentage of those people that are parked in the garage at any one time. And I'll give you a perfect example. Last year -- well, since then, we've brought the permit numbers down by 150. So, we sell 150 fewer permits today than we did in 2013, and the

reason is exactly what you mentioned. Our goal -- our first and highest priority is people who are visiting downtown.

Vice Mayor Quesada: So, that means we have 470 permitted parking spaces right now in those two garages?

Parking Director Kinney: Generally speaking, yes.

Vice Mayor Quesada: What can we...

Parking Director Kinney: But...

Vice Mayor Quesada: Do to remove those completely? Because whoever we select to move forward with today, I would like to reduce the parking requirement by the amount of those permitted spaces...

Parking Director Kinney: Well, that's a figure...

City Manager Swanson-Rivenbark: Except -- excuse me, Mr. Kinney.

Parking Director Kinney: Sure.

City Manager Swanson-Rivenbark: Except we have to caution you on that statement...

Commissioner Keon: Yeah.

City Manager Swanson-Rivenbark: Because they all include retail. They all include additional uses. They all generate additional demand, and we learned that in Garage 6. When we built Garage 6 and our goal was to maximize the amount of public parking, we didn't anticipate the --

what our ground floor uses caused in meeting parking needs as well, so we have to know that. When you have a restaurant, restaurants are great, but we have to park them. So, in wanting to reduce it...

Vice Mayor Quesada: So, the permitted parking space is -- some that he's referring to relate to Seasons 52 or California Pizza Kitchen or some of the restaurants.

Commissioner Lago: US Mail.

Parking Director Kinney: Yes.

Commissioner Keon: And there's office workers that, you know, particularly along the Mile, there isn't any parking for -- available for the people that work along the Mile, so they have permit parking, so that the people that are working in the City have a place to park.

Vice Mayor Quesada: Of course. I'm not saying they shouldn't be able to park somewhere. What I'm saying is...

Parking Director Kinney: Is there a place we can put them.

Vice Mayor Quesada: If we can reduce that parking requirement so we don't end up with a Merrick Park situation that we're overparked by 2,000 parking spaces...

Commissioner Keon: Well, we may have been. I think now you're parking on the roof to go to the movies. So, I think...

Mayor Cason: It's...

Commissioner Keon: That you planned for -- we're not planning for this year. We're planning for 20 years or 10 years out.

Mayor Cason: I think that's the point that we're...

Commissioner Keon: And so, we're looking at 20 years out. We're not looking at today.

Vice Mayor Quesada: But that -- but we've done a bad job in the past of that.

Commissioner Lago: Yeah, and...

Vice Mayor Quesada: We have. I'm saying prior to us, prior to this Commission and this Commission. I mean...

Commissioner Keon: No -- well...

Vice Mayor Quesada: If you look at some of the buildings -- I mean, Allen Morris' building, if you ever go to the top two floors, it's always empty.

Parking Director Kinney: Absolutely. And one of the...

Vice Mayor Quesada: 355 Alhambra, where I used to work, is always empty.

Commissioner Lago: I didn't want to start giving names, because I...

Vice Mayor Quesada: No, but it's true, though.

City Manager Swanson-Rivenbark: Our City Clerk will remind you that when you all talk at once, it's really hard to do the minutes.

Commissioner Lago: Well, let me just make a point. The reason why I brought up -- Kevin up here is because, you know, again, we're making an ask of close to a thousand parking spaces. And we all want to ask for certain things, but I want to be very careful that we're not making requests that, at the end, we have to give up something from the City, either in the massing of the building, either a little bit of control. Because when you ask for these thousand parking spaces, there's a cost associated. And we all know that, depending on the design of the building, it come be between 25 to \$35,000 per parking space.

Parking Director Kinney: Absolutely.

Commissioner Lago: And no one...

City Manager Swanson-Rivenbark: Yeah. But sir, as I do the quick math, we're already today have over 600 and what, almost 50 spaces amongst the two...

Parking Director Kinney: 630.

City Manager Swanson-Rivenbark: 630...

Commissioner Lago: Well, my point...

City Manager Swanson-Rivenbark: And so we're asking for the additional.

Commissioner Lago: No, I understand. But let me just get to my point. My point is that those 620 -- and I agree with what Commissioner Keon stated in reference to they are necessary, because they are individuals who work in our community. For example, I know that -- I don't know how many of those parking spaces are allocated to the US Post Office, because they don't have the adequate amount of parking.

Parking Director Kinney: Seventy.

Commissioner Lago: Seventy spaces. But you would also understand that right now there's only 150 or 160 spaces that are allocated to people who are visiting the Mile or visiting the post office or visiting...

Parking Director Kinney: I would -- yeah -- no...

Commissioner Lago: To eat at, you know, the great restaurants on Andalusia.

Parking Director Kinney: I understand why that's the perception. But, for example, last year, the last year we completed, 2016, there were 43,000 occasions when a permit parker parked in Garage 1 and 4. There was -- and I'm going to get the number wrong -- 289,000 times a short-term parker, since 2013 and the changes we've done in the management of Garage 1 and 4. The transient parking -- and in this case, transient is a good word -- the short-term parking...

Commissioner Keon: Right.

Parking Director Kinney: Is up 34 percent since 2013. And in 2013 was the highest year we ever had. So, over the last three years, we've increased that by 34 percent.

Commissioner Lago: I just want -- and I'm going to move on to another topic. But I just want to be careful what we ask for, because we could end up with a thousand parking spaces and we could end up with two floors of parking that are underutilized, where the purpose of -- in my opinion -- and again, maybe we're wrong. Maybe we'll have another 20 years where our colleagues in public office don't service this community in reference to actual mass transit and people will not get out of cars, but that's a non-issue. The issue is that I think that -- I'm not an

expert, so I think that asking for a thousand is a lot. You know, if you think that's appropriate, then we'll move forward. But...

Mayor Cason: Let's remember, we asked in the RFP for a thousand. That was what we asked.

City Manager Swanson-Rivenbark: And you started that figure in 2013.

Mayor Cason: Yeah.

Commissioner Lago: Yeah, I know.

Mayor Cason: Now, and...

City Manager Swanson-Rivenbark: And it was...

Mayor Cason: We don't know...

City Manager Swanson-Rivenbark: Based on the Haahs parking study....

Parking Director Kinney: Yes.

City Manager Swanson-Rivenbark: Because it's in anticipation of future demand. That Garage 1 is a -- it's only 282 spaces, but it is a high-demand garage.

Parking Director Kinney: (INAUDIBLE) is...

City Manager Swanson-Rivenbark: And so what we wanted to do...

Parking Director Kinney: Shut down often.

Mayor Cason: And let's -- also, looking at that presentation on the smart parking and the app, a lot -- it's going to be a lot more attractive to go to these garages, because you can get a reserved space. So, sure, you're going to have Uber and we're going to expand the trolley, but we're also expanding downtown, mixed use, people living downtown. You're going to have a demand. These buildings are going to be around for 30 to 40 years, so anticipating a few extra...

Commissioner Lago: And talking about that --, because you mentioned the advanced technology in regards to parking. If you ever have a chance, the first time I've ever witnessed here in Miami is you can go to Sawgrass Mills and see something not as advanced as what they were -- that they showed in reference to the presentation, but you can see something where the moment that you go into their new parking garage -- I think that opened up last month -- they tell you per floor how many parking spaces. So, instead of driving around floors looking for a parking space, you immediately know at the moment that you enter into the parking garage, I got to go to the third floor, because there's no parking on the first and second. That alleviates congestion. And then, obviously, the presentation has taken it to another level where when you're driving to the parking garage, you know that you don't have to go around blocks and blocks and blocks looking for spaces where it tells immediately where there are spaces available, both in buildings and in some surface parking lots. But that's great, but I just want to make sure that we know that I'm not crazy about a thousand parking spaces. I'd rather see -- and I was very clear with both the developers when I met with them, is I'd like to see a less bulky building. I'd like to see height reductions. I would like to see that we stick to, you know, a maximum of five stories on Miracle Mile. I think it's prudent. I would like to see a little bit more open space, which is something that we've discussed. And like I mentioned to the Manager -- I was very clear about this when I mentioned it to you -- always remember that we can always do this ourselves, at the end of the day.

City Manager Swanson-Rivenbark: Understand, sir.

Commissioner Lago: And I'm friends with both of these applicants, and I mean it with the utmost respect. The presentation is incredible. But always remember that we can do this ourselves. And if there is a need to do it and, you know, you feel that we could potentially achieve this goal by building a parking garage that meets our requirements with some vanilla shell in reference to open -- to first floor so we could rent that out, and then having one or two floors on top for City space. It's not that difficult to do. This is simple construction. We have the ability and like -- just give me one second. And like the -- in reference to what the Mayor said before, we have a AAA bond rating. We have perfect financials now. It could be an option. And we could build that in one of the spaces. And in the other space, there's nothing more than I'd like to see -- like I mentioned to you, we have a ten-year plan that we'll be presenting now as an ordinance to raise close to 20 or \$21 million for a piece of open space in downtown. I'm willing to have -- I would love to have a piece of open space on the Mile, off the Mile. I think it'd be a perfect part of what we're trying to drive in regards to open space. One of these spaces, one of these two lots could be used for open space and the other one could be used for a parking garage. Just remember, that's always an opportunity and always an option.

Mayor Cason: Vice Mayor.

Vice Mayor Quesada: Just a few quick points. You know, Commissioner Lago, with regard to that we could always do this, like I don't -- I find that to be -- if we were to pull the rug out from both sides here, it's a little...

Commissioner Lago: No, it's not pulling the rug. It's always leaving the options open.

Vice Mayor Quesada: But it's -- we should have made that decision in 2013, prior to these groups going out spending significant resources. I just -- I don't like that idea, but if that's what the Commission wants to do. When it comes to parking, what I would...

City Manager Swanson-Rivenbark: I'm sorry, sir. The City Attorney will tell me that I need to inject -- interject on that. We're not pulling the rug under anyone. At all times, they were operating under their own risk. We are...

Vice Mayor Quesada: I understand that.

City Manager Swanson-Rivenbark: Proceeding in good faith, but it is all at their own risk.

Commissioner Lago: And by the way, if I could just...

Vice Mayor Quesada: I don't disagree with that...

Commissioner Lago: Vice Mayor, if I could just address your comment one second. Again, and I respect your comments, and I know Commissioner Keon agrees with you. I heard her comments, and it's, again, as always...

Vice Mayor Quesada: You could feel her nodding?

Commissioner Lago: No, no, it's okay. It's fine. Listen, that's why we're up here talking. We're talking about different issues. Again, there's different options.

Vice Mayor Quesada: I understand that.

Commissioner Lago: And I'm just bringing it up, because it's an option, and again, if we go down the route of one of these very more than capable applicants, we'll do it without zero debt, but there's a cost of doing business that way.

Vice Mayor Quesada: Got it.

Mayor Cason: All of -- but all of that...

Vice Mayor Quesada: I'm just saying at first blush disagree with you. That's it.

Mayor Cason: And all of that's contemplated in the negotiations...

Vice Mayor Quesada: Wonderful.

Mayor Cason: All those options. So -- and I agree with you.

Vice Mayor Quesada: Let me just finish up. I can wrap up real quick. Kevin -- Mr. Kinney...

Parking Director Kinney: Yes, sir.

Vice Mayor Quesada: We will not resolve the parking issue today. What I would like to see is Merrick Park, if you can give us some detailed numbers of vacant spaces, the way we've seen it progress over the last few years, I think that would be helpful for all of us. I would also like to see a full list of every entity that is receiving permitted parking, from the post office to everyone else.

Parking Director Kinney: I have it (INAUDIBLE)...

Vice Mayor Quesada: I don't need it today. We're not going to resolve it today. I think whoever the City decides to negotiate with, we can discuss it at that point, and I think at a future meeting, we should discuss it and we should really think about who's there. For example, the post office, first blush, should not take up 70 parking spaces, in my unprofessional opinion.

City Manager Swanson-Rivenbark: And just so you know, sir, they used to take -- what was the high number for the post office?

Parking Director Kinney: They were up to 90.

Vice Mayor Quesada: Yeah, and I...

City Manager Swanson-Rivenbark: We're dropping them down.

Vice Mayor Quesada: Think, you know...

City Manager Swanson-Rivenbark: We dropped them down.

Vice Mayor Quesada: Kevin, you did a great job with that.

Mayor Cason: Other points?

Commissioner Lago: Quick question on that. Where would you park them?

Vice Mayor Quesada: We're not going to resolve that today.

Mayor Cason: No.

Commissioner Keon: No.

Vice Mayor Quesada: What I'm saying is, let's see the list...

Mayor Cason: (INAUDIBLE) discussion.

Vice Mayor Quesada: Let's have -- we need more -- we need to gather more information, and then we'll make a more informed decision later on. That's all I'm saying.

Mayor Cason: Other points?

Vice Mayor Quesada: We can't resolve that today. And then, Mr. Gelfman, public parking, the split that you have, the private parking and the height, is it -- under your version two, is it similar to your version one? Because that was the question I asked the Allen Morris group...

Mr. Gelfman: Yes.

Vice Mayor Quesada: Earlier. So, is it similar -- substantially similar or completely different?

Mr. Gelfman: The only difference in the parking count in the garage that you saw versus the garage that would be produced here is that the different number of residential units would require a different number of parking spaces and be adjusted accordingly.

Vice Mayor Quesada: Okay, so it would just be adjusted pursuant to Code. Got it. Thank you.

Mayor Cason: Alright, any more discussion?

Commissioner Slesnick: I just want to ask Kevin -- some of the garages, like -- and the City builds beautiful garages, so I like that option in case we don't go with either.

Parking Director Kinney: And they're looking better all the time.

Commissioner Slesnick: Thank you. And they're clean and nice. Like the Fritz and Franz parking garage, the top levels stay empty even though they're permitted. Why is this?

Parking Director Kinney: That was actually a public safety issue that we had.

City Manager Swanson-Rivenbark: That was my intervention.

Commissioner Slesnick: Oh, for the people...

City Manager Swanson-Rivenbark: The picture of the jumper. The way that that design had been done, you could...

Commissioner Slesnick: Have access to (INAUDIBLE)...

City Manager Swanson-Rivenbark: Have access to it, and so you permitted those spaces...

Parking Director Kinney: Right, there's...

City Manager Swanson-Rivenbark: They're 100 percent sold.

Parking Director Kinney: Two different ways we use them. One is, if there's...

City Manager Swanson-Rivenbark: Nobody did jump. We just didn't want anyone to jump.

Commissioner Slesnick: I saw the picture.

Parking Director Kinney: If there is an event, we will open it and have a security guard staffed on the roof so that he's permanently there until the roof is empty. Or we've actually permitted it to one specific user and they have -- there's a gate and it's secure entry and exit.

Commissioner Slesnick: But are those permitted spaces from Miracle Mile stores or whatever, where they have a required...

Parking Director Kinney: They're actually south of Miracle Mile.

Commissioner Slesnick: Okay.

Parking Director Kinney: So...

Commissioner Slesnick: But they are required to have so many parking spaces, but then they don't use them.

City Manager Swanson-Rivenbark: It's a significant design flaw...

Parking Director Kinney: Flaw.

Commissioner Slesnick: Okay.

City Manager Swanson-Rivenbark: In Garage 6.

Parking Director Kinney: And there's (INAUDIBLE)...

City Manager Swanson-Rivenbark: We're prepared to correct that, but the fastest way was to make it available to a single user and to chain it off otherwise.

Parking Director Kinney: So, I mean, it is still part of our parking supply and we can adjust things as needed.

Mayor Cason: Okay. Any other...

Commissioner Slesnick: I'm fine. I tend to agree with Commissioner Lago in that I would like to see the height lowered or have less bulk there, because of the parking spots that are required.

Parking Director Kinney: Well, I think I can commit to three things. One is, I believe staff is going to negotiate for what's in the best interest of the City. That does not necessarily mean a massive structure. Absolutely, we will adjust permit parking as needed, because our primary service is to visitors. However, when I force out a permit parker, I usually like to know where they're going to go.

Mayor Cason: Going to go.

Parking Director Kinney: Now, we've had some conversation about a new garage up on Minorca that would take possibly some permit people out of the core area downtown and we would open up more spaces for transient parkers, but that's a natural process. Right now, the people that have been forced out of Garage 1 and 4, some have gone to the Palace; some have gone to other private structures. Some have gone north and park in our larger garages on Aragon. So, parking management, it seems pretty simple. Somebody pulls in, parks, and then they give you a dollar when they leave. It actually is a fairly complex issue on managing a public system, because we don't want permit parkers taking up on-street spaces. So, typically we need to find an off-street location for them.

City Manager Swanson-Rivenbark: The other thing with Mr. Kinney is he's masterful at overselling without losing available parking space. So, when you have...

Mayor Cason: Like the airlines.

City Manager Swanson-Rivenbark: Two hundred permits...

Commissioner Keon: (INAUDIBLE) the airlines.

City Manager Swanson-Rivenbark: It's also available for the transient parker that exact same space.

Parking Director Kinney: Yes.

City Manager Swanson-Rivenbark: It's not dedicated space that is prohibited from the public from parking in.

Parking Director Kinney: So, when I said there's 631 spaces, in 2013, we were selling 620 permits. That does not mean there was only 11 spaces available for transient parkers.

Mayor Cason: Got you.

Parking Director Kinney: There was still adequate parking for transient parkers. And as that demand went up, we scaled back on the number of permits we would sell.

Mayor Cason: Alright, but you're going to come back to us with a -- answer the question by the Vice Mayor, for a lot more information on parking.

Parking Director Kinney: Yeah.

Mayor Cason: And please factor in --, because the Haahs study was in 2013...

Vice Mayor Quesada: And the Haahs study didn't say a thousand public parking. That was something that we came up with on the dais.

City Manager Swanson-Rivenbark: So, we...

Mayor Cason: But when you look at it...

Parking Director Kinney: Well, they gave a range...

Commissioner Keon: They gave us a range...

Mayor Cason: They gave us a range.

Commissioner Keon: Between 800...

Parking Director Kinney: And you guys selected the top.

Commissioner Keon: And a thousand. They gave us a range between 800 and a thousand at the time, because I remember when, you know, we had the opportunity to actually open up and look at that RFP, because I don't think that the Commission had much involvement in that RFP prior to that time.

Parking Director Kinney: And the consultant, who is still our consultant...

Commissioner Keon: Right.

Parking Director Kinney: So he is still involved in the process...

Commissioner Keon: Right, and so we talked about that and we -- when you were talking about wanting to get the permit parkers out of that garage, we have had -- I mean, I have seen where we have a lot of permit parking in our surface lots that would probably better serve the transient community than parking -- and park those permit parkers in the garages. Like the lot across the street from Coral Gables Elementary is primarily permit parking. You did install a few meters in there...

Parking Director Kinney: And we are going to...

Commissioner Keon: Yeah.

Parking Director Kinney: Install another five (INAUDIBLE) month.

Commissioner Keon: You know, that whole parking lot should really be a transient parking lot. It should be parents coming to the school for things, for events, whatever, and it serves, you know, all of the restaurants and the retail all along Ponce in that area. So, to have those held by the -- by permits is maybe not the best use of those surface parking lots.

Mayor Cason: Well, let's...

Commissioner Keon: So, I think there's...

Vice Mayor Quesada: Commissioner Keon, like I said earlier...

Commissioner Keon: Yeah.

Vice Mayor Quesada: We're not going to resolve it here today.

Commissioner Keon: No, but I...

Vice Mayor Quesada: Let's just continue fact gathering, and as we...

Commissioner Keon: Right.

Vice Mayor Quesada: Feel more comfortable...

Mayor Cason: Yeah, let's leave that...

Commissioner Keon: But I think that...

Mayor Cason: For the future discussion.

Commissioner Keon: We came to a discussion in '13, I guess it was -- I know it was right after they were elected -- and the number was a thousand. And that was the number that went into the RFP. I'm sorry. Are you finished, Commissioner?

Mayor Cason: Yeah.

Commissioner Slesnick: I agree with you about the surface parking, because people -- short-time parkers really like the surface parking...

Commissioner Keon: Right.

Commissioner Slesnick: And would go into one of the restaurants up near the Coral Gables Elementary School along there on Ponce, but they don't want to go in a parking garage to stop and pick up food or so forth, and the parents, too, at Coral Gables Elementary. We should have the garage parking be the permit parking.

Mayor Cason: So, we will look forward to a very detailed -- further discussion of parking needs in the future. Right now, do we have a motion on H-1?

Commissioner Keon: Well, wait a minute. I have -- I still have a number of questions on that. I was...

Mayor Cason: On this particular...

Commissioner Keon: On this whole issue.

Mayor Cason: Alright, go ahead.

Commissioner Keon: Commissioner Quesada, are you done?

Vice Mayor Quesada: No, but you can go.

Commissioner Keon: Oh, alright. Thank you. I know that you had said you were working on this for over five years, Mr. Morris, so I'm going to assume that you were working on this probably with -- when -- with the former City Manager. And I don't know how long you all have been working on this, but I'm going to assume it wasn't five years. So, I think that, you know, your references and your involvement in this process are probably different anyway. But I am -- and I remember when the RFP was first constructed. It was when Pat Salerno was the manager. There was no input from this Commission with regard to it and there was no discussion. So, you know, and I -- and so, I don't know what the discussion was five years ago. What I do know is what the discussion has been since Salerno left as our manager, and I know what the discussion is since Cathy has been our manager and we have been here on this dais. I'm very confused by the whole -- the process of this RFP and by the recommendation from you all as to how you negotiate. I know that, you know, the meetings on the RFP, I think it came out in '15. And in '16, there was some -- there was a second phase or something in '16. I think the presentations were not until -- right, was that what, maybe May or something? And it wasn't until August that you met to do a -- to brief a committee on it. I think they met and deliberated or something, and then it was December before they came back. It seems to be -- you know, I don't -- the sort of sporadic nature of your meeting and the participants and whatever of an Evaluation Committee are -- I have some concern about. It seemed that although you put together an Evaluation Committee as members from different boards -- and I understand that you felt they were important, because you would have to go back to those boards at some time, it seems to me that it was primarily driven by Mr. Abramson. Or the information that is provided or the one that seemed to know something about it...

City Manager Swanson-Rivenbark: He is the...

Commissioner Keon: Was Mr. Abramson...

City Manager Swanson-Rivenbark: He was the financial...

Commissioner Keon: Which is your consultant to it.

City Manager Swanson-Rivenbark: He provided...

Commissioner Keon: Yeah.

City Manager Swanson-Rivenbark: The financial review of the proposals, as a technical expert.

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: But, ma'am, the stage two of the RFP, which is the most expensive part of the RFP process, that is not just show us your credentials.

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: That is what would you be planning -- was issued February 18, 2016. And the proposals were received May 11, which is a...

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: Sufficient amount of time for that amount of thought process that has to go in. And then August 4, the Evaluation Committee met.

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: So, the staff -- our -- both our planning and our economic and our financial consultant were able to digest and provide a first review for August 4, and then the committee recessed, and then the committee did not reconvene until December 1.

Commissioner Keon: So, they went from August...

City Manager Swanson-Rivenbark: Now I can find out what happened...

Commissioner Keon: Until...

City Manager Swanson-Rivenbark: From August until December...

Commissioner Keon: From August until December without convening, and I think only three of the five members, I understand from looking at the things, were present. So, you had three of the five members that deliberated in August and then three of them came back in December to talk to you about this.

Economic Development Director Betancourt: All five members deliberated in August and heard the 45-minute presentations from each proposer. Yeah, there was a lot that happened between August and December. We received some correspondence from one of the proposers that we had to evaluate, we had to respond to. They were a series of things that happened. When we finally did reconvene in December -- correct, all five members were -- had agreed to serve. Unfortunately, two of them had emergencies that day and weren't able to attend. But everyone in the room, including the two proposers, agreed to move forward that day since we had a quorum.

Commissioner Keon: Well, I think that you were...

Economic Development Director Betancourt: It's been a long time coming.

Commissioner Keon: Right.

Economic Development Director Betancourt: We didn't want to delay it any further.

City Attorney Leen: Commissioner, I just wanted to note that we did receive a letter from counsel from Mr. Morris. We wanted to address it in full. It was a fairly comprehensive letter and we wanted our consultant to look at it. Javier -- Mr. Betancourt alluded to the letter that we wanted to respond to, because we wanted to make sure it was a fair process. That actually did take a fair amount of time, and then we reopened the process once we had a full response to the letter.

Commissioner Keon: But then, you came back with -- I mean, we set out some requirements for this RFP with regard to -- I, you know, with what we had hoped to see -- and yes, they are both perfectly well qualified to do this project. But what -- you have one good Terranova that presented a project with 16 feet (sic) on the mile, which was -- which, why you would do that, I don't know. It wasn't acceptable. I mean, I -- we know. Somehow, the process didn't allow them to come back to continue a discussion or get direction or whatever, so they really didn't have another bite at that apple or whatever the words are, I don't know, but that seemed to be. And Allen Morris & Company presented three different proposals and only the first of the three proposals are you, you know -- it's my understanding actually conform to the RFP. But yet, you never talked about that first proposal. We've only seen two other proposals that you have said don't conform to the elements of the RFP. Now, I don't know that the RFP contained anything to do with parking or a parking system. And yet, you're presenting a parking system as an element to this project. That wasn't called for in the RFP at all, was it?

Mayor Cason: But I recall from our discussions very clearly we talked about the need for the most modern technology. We wanted valet...

Commissioner Keon: Right.

Mayor Cason: Which you mentioned.

Commissioner Keon: Yes.

Mayor Cason: So...

Commissioner Keon: But we didn't call it an RFP. We didn't call out for in an RFP for anything to do with a parking system. We didn't call out in an RFP, as far as I understand --, and I think it was very clear that the preference was to retain ownership of both of those parcels of land. And in the proposals that were presented to us today, we don't retain both of those parcels of land. We only retain one of the parcels of land. We -- in the discussion, we have a report from the retail study that we did that called for retail along the Mile. It didn't call for office buildings at all -- I mean, I'm sorry, residential. It tells us if we want to, after we do this \$25 million economic development project along Miracle Mile, and we want it to become an important shopping destination, that we eventually will link with Ponce or whatever, that in order to do so, we need to have more residential projects along -- in close proximity to the Mile, which would be in conjunction with those garages. So, it wouldn't be an office building anyway, but I mean, that wasn't in the RFP, but we know that now. That wasn't in the RFP. So, whether it belongs -- should be an office building, I think, is really a policy decision that is yet to be made before you start negotiating with anybody on anything. There are so many elements that are not in conjunction with this RFP. So, it's like, you know -- and then, you know, to make a statement that, oh, forget it, after you went through all this expense and all this time and all these meetings, we could just do it ourselves, is -- I really would question, you know, that thought at all. Because if we were going to do it ourselves, we should have done it ourselves and not put people

through the time and the money and the effort to go through this kind of a -- this process. So, I -- you know, to -- for me to say to you, yeah, you should negotiate with this one and you should negotiate with that one, what would I make that -- what would I base that decision on?

City Attorney Leen: I would like to make two points, just for clarification. At the beginning of the process, Commissioner and Mr. Mayor, I did give the opinion on multiple occasions that because this is City property, our Zoning Code doesn't apply to the City in the same way it would apply to a private entity. We're not -- the City's not bound to it. The City can choose to follow it. So, the way the RFP was drafted was to -- and this is more a matter of policy, but this is the way it was drafted to reflect that opinion -- was that one of the proposals should comply with the Zoning Code and then the other ones -- another proposal wouldn't have to, as long as they're providing, essentially public benefits that would, in a sense, compensate the public for the -- doing something different than what the Zoning Code would otherwise require. So, I think that's where the idea came from. Now, of the two proposers, one proposer did submit one proposal that was compliant with the Zoning Code and then two other proposals that were not and that provided public benefits, one of which I think -- and I'm not commenting on the value of the public benefits. That's for you and the Manager to consider --, but I think that that was where the parking component came from is a public benefit that they're providing to justify the difference in the Zoning Code. The other applicant did not present a proposal that complied with the Zoning Code, so that did not comply with the strict requirements of the RFP. That's one of the reasons they ended up being the fourth party -- the fourth of the options, and really the second of the two proposers, because they did not comply with the strict requirements of the RFP. But from the beginning, I've always said and the City has always said in the RFP and what was presented to the Commission, in my view was that -- looking at the whole record -- was that the Commission ultimately could make whatever decision it wanted. So, that's why both proposers were presented to you today, even though one of them did not comply with the strict requirements of the RFP, was to give you an option as to what you wanted to do in the end, because we had been very clear from the beginning that the Commission can choose anything it would like here, or can choose to do it itself or an alternative, which is why I think it's being

presented this way. I understand your -- I understand what you're saying, but I just wanted you to know the history. That's the way -- and we were very clear with the proposers from the beginning that the Commission retained all rights.

Commissioner Keon: Right, but we go out and we put out an RFP and we say to the public, respond to this RFP, and you know, whatever you think would work there, you know, come back and talk to us about. Yet, we know that -- is it the policy and the intention of the City to turn over our parking system to a private provider, a private contractor?

City Manager Swanson-Rivenbark: It's not -- we never anticipated turning over our parking inventory to a private provider.

Commissioner Keon: Okay. One of the proposals calls for the operation of all of the garages in the city under this particular -- with the use of this app to a provider. Is it Walker Parking Systems that runs...

City Manager Swanson-Rivenbark: And so, Commissioner, what we were asking for...

Commissioner Keon: Okay, so, what I'm saying to you is, though, you know, that's included in here. That is not a policy of the City. You also -- we have also said, you know, you can come back and tell us -- but there are certain policies that we have established in the City and some of them is -- does deal with how we retain City land. We have said we would retain our land and bank our land. That isn't reflected in this response. We have talked about the heights and the transition of heights in the downtown area and throughout the city. That kind of isn't there either. It's -- you know, to go forward and negotiate with somebody on something that I'm not clear as to where you're going to go or what you're looking for, is -- I find difficult. And I know that's a range, and I know as you negotiate, it's not that it's going to be, you know, this particular cracker box, but it's going to be, you know, something that falls within the policies that have been set by the Commission for this city. And I'm sort of all over the place on that from what

we're hearing and what we're seeing. I don't -- I have a real problem with it. For me, I would tell you -- you know, we started this process in what, 2010 or something -- or 2000? We started with looking at developing these garages and somebody came back with a ten-story and they wouldn't accept it then. They wanted eight stories, and they couldn't have built it at ten. They built it at eight. We went through with another architect and another firm, you know, a tremendous amount of...

Commissioner Slesnick: 1998.

Commissioner Keon: Discussion and everything else over this. You know, it's time to -- I really would like far more clarity in moving forward with, you know, what you want, what policies do we -- and yes, I know that we can make, you know, some adaptation, but the difference is not that, you know, yes, you can have an architectural element that may take you to 190 feet. That doesn't mean we want to have things at 190 feet. I mean, that's been spoken about and has been very clear here. So, you know, I would like that -- we need to get these projects done. And even if we only build garages, build garages, but we need to get this done and get it behind us, because for 16, 17 years, we have been going through this with different people for a very long time. I would rather you -- for the Manager and your staff and our Planning Department look at what belongs along -- in those parking garages, what should be developed along with those parking garages, and I would negotiate with both of these parties to get to where you want to go. And if one gets one and one gets another, I don't really -- it makes no difference to me. But I would like you to come back to me with a recommendation that I can -- that I really -- I understand and contains the elements that you believe belong in that space in the City property adjacent to the Mile.

Mayor Cason: Commissioner Slesnick.

Commissioner Slesnick: Mr. Mayor, thank you. I think both developers have heard what we're really trying to accomplish here today and have had all of our comments and discussion, and I

feel comfortable in allowing our City Manager to negotiate with one to begin with, and then the second one, if we so approve, and let us -- let her get back to each of us and get a more thorough list of what we're looking for. And I've heard different things from different people, but let her negotiate it and start off this process. This has been going on since 1998, when the first parking garages were being considered there, especially across from Publix. And it's about time we get some new parking garages, because Coral Gables is growing and we want to revitalize Miracle Mile. We need to get started. So, I move that we follow staff's recommendations and move on with City Center in awarding them the first chance to negotiate with the City Manager.

Mayor Cason: Do we have a second? Do we have a second?

Vice Mayor Quesada: Well, did you make a motion?

Commissioner Lago: I don't know. That's what I just thought.

Mayor Cason: She made the motion.

Vice Mayor Quesada: I know, but I wasn't sure what she (INAUDIBLE)...

Commissioner Keon: I said what I would prefer to do would be to negotiate with both simultaneously, because I don't think that they are -- for me, there is no clarity here as to what you really want. You are being told -- you know, they are recommending -- your staff is recommending the first submission from the Allen Morris company, and yet, every bit of conversation and everything that has been presented to us is on the third one. So, what are you going to -- where do you...

Vice Mayor Quesada:

Commissioner Keon: Begin your negotiations?

Vice Mayor Quesada: Alright, so, let me tell you where I'm at. I'm inclined to second her motion. Well, I'm going to second her motion, but let me tell you why. The third one was presented. They presented four different variations. When I met with Mr. Gelfman and we discussed this, I liked the idea of the second one. The only problem is it was a little amorphous in the process aspect of it. I mean, you have one applicant that goes and meets every requirement, does everything that they're required to do, and then the other one says, well, we can do anything you want, which I like because at the beginning of the RFP process in 2013, when we were discussing it, I was one of the people that said, look, I want to make it as open as possible so we get as many different options as possible, so we get the best possible project. But at this stage, it's been pending technically since 1998...

Commissioner Lago: Which, by the way, wasn't the case, because we didn't get that many...

Vice Mayor Quesada: No, it's true.

Commissioner Lago: Presenters.

Vice Mayor Quesada: We didn't.

Commissioner Keon: We got five.

Vice Mayor Quesada: Right.

Commissioner Keon: But only two were qualified.

Commissioner Lago: Yeah, but in reference to the comments that I made before -- and if you don't mind if I interject just one second. I don't want to pull the rug underneath you, but...

Vice Mayor Quesada: It wouldn't be the first time.

Commissioner Lago: But let me explain to you why I made my comments. I made my comments, because when we moved forward on this in 2013, when Commissioner Keon and I had just gotten on this dais, we were not in the financial situation that we're in today. We're in a much better place.

City Manager Swanson-Rivenbark: Excuse me, Mr. Mayor, a point of order. I'm not sure of the discussion that's happening, but Commissioner Lago's speaking.

City Attorney Leen: He just wanted to -- he wanted to correct one thing in the record that was said.

Mayor Cason: Okay.

City Attorney Leen: That what he's...

Mayor Cason: Well...

City Attorney Leen: That what he was raising with me.

Mayor Cason: You -- go ahead.

(COMMENTS MADE OFF THE RECORD)

Vice Mayor Quesada: Well, I'm sure -- I wasn't sure if he was completed.

Commissioner Lago: No, no, no. Go back to the Vice Mayor. It's okay.

Mayor Cason: You're -- you have the floor.

Vice Mayor Quesada: So, that was basically it, in my regard. That's why, you know, I'm going to second the motion.

Mayor Cason: Alright, so we have a motion by Commissioner Slesnick. The Vice Mayor seconds. City Clerk.

Commissioner Lago: So, we're not going to have discussion -- any further discussion? We're just voting on this issue?

Mayor Cason: We have a motion and a second.

Vice Mayor Quesada: I'm okay with additional commentary if he has additional thoughts.

Commissioner Keon: I just -- you know, I don't know what you're negotiating.

Commissioner Slesnick: Well, I like the new presentation on Miracle Mile where it's brought down from 19 stories down to the shops being two or three stories high and so forth on Miracle Mile. But I feel, in all fairness, they did not present this to us -- well, present it to the committee that was reviewing it and the staff until recently.

Commissioner Keon: But -- okay, so what I'm asking, are you negotiating the first presentation of the first option from Allen Morris & Company? Is that what the motion is?

Vice Mayor Quesada: No, it...

Commissioner Keon: It's to negotiate that one?

Commissioner Slesnick: It's to negotiate without...

Commissioner Keon: This, not a parking system...

Commissioner Slesnick: To negotiate with...

Commissioner Keon: Not all the other things. What are you negotiating?

Commissioner Slesnick: I think that will fall into the place and the City Manager has an idea of what kind of parking she wants and whether she would give it away, whether we want to sell off City land, which I don't support. So, that all needs to be negotiated, but she's a great negotiator and it's going to take hours and hours to go back and forth on these plans. And I think if she could work with us individually along the line to see if this is something we want over the next six months or less, then we'd be further ahead. I mean, I don't think we need to have public discussion up here on all the merits back and forth without some more input.

Commissioner Keon: It isn't the merits that I'm discussing. It's what you're going to negotiate. Are you negotiating for proposal one...

Vice Mayor Quesada: Commissioner Keon.

Commissioner Keon: Or are you negotiating...

Mayor Cason: You want to talk about...

Commissioner Keon: For whatever...

Vice Mayor Quesada: I can answer the question.

Commissioner Keon: Happens to come up.

Vice Mayor Quesada: Or at least from my second, I can tell you what the answer is. It's for number one -- and I envision that Allen Morris is going to be pushing number three and to see if there's a happy median that staff is acceptable that believes that we will accept as well.

Mayor Cason: That's exactly right.

Economic Development Director Betancourt: Commissioner, staff's recommendation is to allow us to negotiate with the top-ranked proposer using version one as the basis for that negotiation, and version one was the one that I did present as part of my evaluation. Understand the proposer then presented version two or three -- I'm not quite sure, but...

Commissioner Lago: And if I may interject...

Economic Development Director Betancourt: Staff's recommendation...

Commissioner Lago: Is that...

Economic Development Director Betancourt: Is version one.

Commissioner Lago: Version one would be the one that's in the photo adjacent to the City Clerk?

Commissioner Keon: No.

City Manager Swanson-Rivenbark: No.

Commissioner Lago: No, I'm just saying -- I'm clarifying.

Economic Development Director Betancourt: Version one, essentially, is Parking Garage 4, with the residential on top, and then just Parking Garage 1, no private development on top. Both have ground floor...

Commissioner Lago: Do you have a photo...

Economic Development Director Betancourt: Retail.

Commissioner Lago: Of that here or some sort of articulation that we can show...

Economic Development Director Betancourt: There's no photo.

Commissioner Keon: There's no presentation on it, no.

Economic Development Director Betancourt: If I may, it might be very similar except for the -- what you see above Garage 1 would not be there.

Commissioner Keon: Except the building doesn't exist.

Commissioner Lago: It would look like that.

Economic Development Director Betancourt: I don't want to speak for the proposer, but that's essentially what we...

(COMMENTS MADE OFF THE RECORD)

Commissioner Keon: Just cover it up.

Commissioner Slesnick: Hold it up, hold it up.

Economic Development Director Betancourt: Yes, and I believe there's one less floor of the garage floor as well.

Unidentified Speaker: With an office tower...

City Manager Swanson-Rivenbark: I'm sorry. We're going to need the microphone.

City Attorney Leen: Yes. You know, another -- special counsel was mentioning and I agree. You now, another thing that could be done is you can adopt this, which allows the negotiation, and if the Commission wishes, periodically, the City Manager can give you an update.

Mayor Cason: Well, of course, we want...

City Attorney Leen: Either in open session or...

Mayor Cason: We expect...

City Attorney Leen: Individual briefings.

Mayor Cason: That we're going to have updates. I mean, that -- I mean, this is a negotiation. We may go with bits and pieces of all three of these proposals.

Commissioner Keon: Right.

Mayor Cason: You'll come back to us and we'll tell you whether we like it or not. And if, at the end of all of this, if it doesn't -- we're going to another person. And if that doesn't work, we've

got a third option. So, it seems to me, the Manager and her team are going to negotiate for the best interest of the City. I agree with you all. I'm going to vote for it.

Commissioner Keon: Mr....

City Attorney Leen: And Mr. Mayor, one other thing...

Commissioner Keon: (INAUDIBLE) voting...

City Attorney Leen: This doesn't vest any rights. So, what would happen is, we would -- the only thing it allows is it commits the City to negotiating for up to six months with City Center. And then -- it doesn't commit us to actually entering into an agreement with them, and any agreement that comes back to the Commission, the Commission is free to disagree with or modify. So, there's no vesting of rights here.

Mayor Cason: And I suggest that all of us...

City Attorney Leen: You want to say something?

Mayor Cason: In our private conversations that we have with the Manager every two weeks, can make our druthers known in terms of what we would like to see in negotiations and we'll see how it turns out. That's all.

Vivian de las Cuevas-Diaz: Mr. Mayor, just one other point. In those meetings, I think it will be great, for example, to you -- I'm a visual person. You might want to see it visually. To Mr. Quesada, it might be FARs. I mean, if you point that out exactly how you want it to come back, I think it's just going to help guide the negotiations. There is gray on both, so the goal is if you want to build this, you're just allowing your staff to try to go out and get you the tools for you to come back and vote if it's something you want to do.

Mayor Cason: And all negotiations are give and take, so...

City Attorney Leen: And Mr. Mayor, just for the record, that's special counsel Vivian de las Cuevas-Diaz. She's working -- I've asked her, as special counsel, to represent the City in this matter. She's working with the City Manager and Mr. Betancourt and myself, so we're well represented. She's with Holland & Knight.

Commissioner Keon: Thank you. I just want to know, you know, there are policies that we currently have in the City, one is on land. It's whether we sell our land or we land lease. You know, I don't think you have the right to negotiate that item without coming back to this Commission on that item. So, that's what I'm saying to you. I'm asking you, you know, those things. What are you negotiating? Are you negotiating a new parking system? Are you negotiating the development of a thousand parking spaces with some office or retail above them?

City Manager Swanson-Rivenbark: So, just as...

Commissioner Keon: That's what I want to know.

City Manager Swanson-Rivenbark: I understand what you're saying, Commissioner. The -- an earlier version of the RFP had that the developer could purchase.

Commissioner Keon: Yeah, I know.

City Manager Swanson-Rivenbark: When we got involved, we brought it to the Commission.

Commissioner Keon: Yes.

City Manager Swanson-Rivenbark: And the desire at the time -- and we know it's an evolutionary process -- was to keep some of the provisions of the RFP, but give a strong preference for leasing versus sale, and so that's how we built the RFP that was issued that these groups have responded to. So, a strong preference for leasing, but an opportunity for sale.

Mayor Cason: Okay, any more dis...

City Manager Swanson-Rivenbark: If there's a difference in, you know, a direction, it's -- a 99-year agreement...

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: Is a very long agreement. And so...

Commissioner Keon: Right.

City Manager Swanson-Rivenbark: I'm sure if the Commission decided that the idea of a sale is off the table, that's good for us to know now so that when we're negotiating, the parties know that and we can have that conversation.

Commissioner Keon: Alright.

City Manager Swanson-Rivenbark: So, I need to be fair to the groups that we're going to be negotiating with. I think that that's an important direction of the Commission. If the Commission has agreement today as to a new instruction, it's helpful for us to know that.

Commissioner Keon: I would like you not to negotiate the sale of that property.

Commissioner Lago: I second that.

Vice Mayor Quesada: I...

Commissioner Slesnick: I third it.

Vice Mayor Quesada: I disagree.

Commissioner Keon: Well, we will not negotiate the sale of that property.

Vice Mayor Quesada: I think that we should -- look, right now the draft resolution, the request from staff is pursuant to the RFP 2014.10.23 and Section 2-1089, which is a discussion that we all had prior to issuing the RFP that said the option of either sale or lease. I think the proposers have contemplated that when putting their presentations together for us. And I think to stay consistent with the RFP -- if we decide later on not to allow it, then you know, it won't be negotiated. But at this point, to stay consistent with the RFP, we should be moving forward with allowing staff to negotiate the full breadth of it.

Commissioner Keon: Right, but if you're going to negotiate, I want you to know that there is a very strong preference that you do not sell that land.

Mayor Cason: I think that...

Commissioner Keon: I also want to know about TDRs. This project, because it includes a lot of the TDRs from City property within the CBD -- and are our TDRs on the table?

Mayor Cason: That will all be discussed in the negotiations.

Commissioner Keon: I'm asking you. Is -- are we -- is that a...

Vice Mayor Quesada: What's happening now is...

City Attorney Leen: Any sale of City land requires a four-fifths vote of the Commission. So, my suggestion would be to give the City Manager as much discretion as she needs. She can always come speak to you individually. It's going to require a four-fifths vote, so there's going to have to be a degree of consensus before the City sells land.

Commissioner Keon: Well...

Commissioner Lago: And...

Commissioner Keon: So...

Commissioner Lago: Madam...

Commissioner Keon: In the process of a negotiation...

Commissioner Lago: And Commissioner...

Commissioner Keon: I think you should have that in mind...

Commissioner Lago: And Commissioner...

Commissioner Keon: That you need that four-fifths vote.

Commissioner Lago: And Commissioner Keon, aren't we discussing...

City Manager Swanson-Rivenbark: And Commissioner, I'm not advocating the sale of TDRs.

Commissioner Lago: The whole purpose of what we're doing right now is to give some guidance to staff, and it's pretty clear...

Commissioner Keon: That's what I'm doing.

Commissioner Lago: No, no.

Mayor Cason: Right. I think they're -- and I think they're absorbing that.

Commissioner Lago: I'm agreeing with you.

Vice Mayor Quesada: But I think it's a mistake to limit staff...

Mayor Cason: At this stage...

Vice Mayor Quesada: In any regard at this stage before we see a final deal.

Mayor Cason: Yeah.

Vice Mayor Quesada: Before we see a final deal with all terms, conditions, design and all aspects of it, we shouldn't limit staff in any regard.

Mayor Cason: And I'm sure...

Vice Mayor Quesada: They could come back and we hate the whole thing or we just hate a portion of it or we love all of it.

Commissioner Keon: Right.

Vice Mayor Quesada: But the thing is, if we are chopping them off at the legs in what they can negotiate, then we're only going to get an inferior project a inferior or lesser opportunity.

Commissioner Keon: Well, I'm telling you...

Vice Mayor Quesada: Or lesser opportunity.

Commissioner Keon: That if you go into a negotiation with some very clear parameters that say what's on the table and what's not on the table, and what I have the authority to negotiate and what I don't have the authority to negotiate, I think you will come out at the end with a better product, or a product that you will be more decisive and you will move more quickly on, and it won't be another 22 years that we're talking about developing these parking garages, so that's what I'm saying to you. The issue of TDRs, that is a policy within the City, you know. It's do we sell our TDRs at this time for the development on the Mile? I would think at this time we have a preference to not sell those TDRs.

Vice Mayor Quesada: I disagree.

Mayor Cason: All of that I think will be negotiated, and if any...

Commissioner Keon: I'm asking...

Mayor Cason: You'll be coming back to us...

Commissioner Keon: The Manager. To the Manager...

Mayor Cason: I think she's...

Commissioner Keon: Would you prefer to sell the TDRs or do we retain our TDRs?

Vice Mayor Quesada: I think she can only do that with the direction of the Commission, what the Commission will allow her to do. I think at this point she should consider everything.

Mayor Cason: I agree. And then if...

Commissioner Keon: No, I don't.

Mayor Cason: At any point, she'll be -- she's going to be coming back to us and saying this is a no. We can't go any farther, because of this, and then we'll be coming back to the Commission. So, we're just talking about letting her talk and begin -- to see what we come up with. Nothing's going to be done without us coming back other times.

Economic Development Director Betancourt: And Mr. Mayor, we'll use as the basis of that negotiation the requirements and preferences that are in the RFP.

Mayor Cason: Right.

Economic Development Director Betancourt: Which I think are consistent with many of the points you brought up today, and that's the reason we want to use version one as the basis for this negotiations, because it's the one that most closely adheres to...

Mayor Cason: Right.

Economic Development Director Betancourt: And responds to the preferences outlined in the RFP. Not entirely, but I think that's the one that comes the closest.

Commissioner Keon: Okay. I just want to make sure that that's what we're negotiating.

Mayor Cason: Alright. And we do have a motion and we have a second. City Clerk.

Commissioner Lago: Yes.

Vice Mayor Quesada: Yes.

Commissioner Slesnick: Yes.

Commissioner Keon: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

Commissioner Keon: What...

Mayor Cason: Okay.

Commissioner Keon: And it's six months, so you set a date.

Mayor Cason: Within six months.

City Attorney Leen: It's up to.

Commissioner Keon: Six months.

City Attorney Leen: Up to six months.

Commissioner Keon: Up to six months.

City Attorney Leen: Up to six months.

Commissioner Keon: Not beyond six months.

City Attorney Leen: It could be three months.

Mayor Cason: Thank you.

City Attorney Leen: Up to six months.

Commissioner Keon: Not beyond six months.

Mayor Cason: Alright. We're going to do this...

Commissioner Keon: Thank you.