

City of Coral Gables City Commission Meeting
Agenda Item F-1
May 25, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jorge Fors

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias

Assistant City Manager, Ed Santamaria

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Asset Manager, Zeida Sardinias

Assistant Finance Director, Celeste Walker

Public Speaker(s)

Maria Cruz

Arthur Cullen

Agenda Item F-1 [9:35 a.m.]

An Ordinance of the City Commission of the City of Coral Gables authorizing entering into a Purchase and Sale Agreement for the sale of the City-owned surface parking lot (#31) at 350 Greco Avenue, Coral Gables, FL 33134 (Folio No. 03-4120-017-2240) to JRFQ Holdings, LLC, a Delaware limited liability company; providing for a severability clause, repealer provision and providing for an effective date.

Mayor Lago: Move on to F-1.

Vice Mayor Mena: Mr. Mayor.

City Attorney Ramos: F-1.

Vice Mayor Mena: Yeah, before you start, I'd like to read a brief statement. On May 11, I participated in the City Commission's unanimous approval on first reading to sell the surface parking lot located on Greco Avenue and Le Jeune. Prior to the vote, I publicly disclosed that the members of the buyer entity -- JFRQ Holdings -- were also owners of the MSP Recovery law firm. This is the law firm where I have been employed since July 2019. Although I have no involvement or interest indirect or otherwise with the transaction, I have nonetheless carefully evaluated the appearance of my voting on this matter. It was for this reason and in an abundance of caution that before the last meeting I discussed the matter with our City Attorney, whose legal and ethical guidance is extremely valuable. Our City Attorney, who previously served as Deputy General Counsel for the Miami-Dade County Commission on Ethics and Public Trust, advised me that I could vote on the matter since it did not benefit me personally. In the spirit of transparency, I publicly disclosed that the owners of the entity were the owners of my employing law firm. I made sure to make this disclosure before voting so that the public and my colleagues would be aware of the facts. Regardless of my vote, the item passed unanimously on first reading. It has become clear, however, that despite obtaining an opinion authorizing my participation in the vote, some residents did not feel comfortable with my decision -- with my participation, excuse me. For this reason, and to ensure the public trust in whatever decision this Commission makes relating to this property, I have concluded that it is in the best interest of the City of Coral Gables that I recuse myself from the forthcoming vote on this item and allow my four colleagues to determine the future of this property. Therefore, I will not be participating in any discussion on this item, and I will return to the Commission chambers after the vote on this item has been concluded.

Mayor Lago: Thank you, Vice Mayor.

Vice Mayor Mena: Thank you. Moving forward with F-1, just like the Vice Mayor has made a decision to recuse himself, I've given a lot of thought to the process and to where we stand today. And with that being said, I would like to pass the gavel to Commissioner Fors, who will be running the meeting moving forward. And I would like to make a motion to reconsider the first reading vote on Item F-1.

City Attorney Ramos: Mayor, before you make the motion and the roll is called, could I read it into the record, please?

Mayor Lago: Yes.

City Attorney Ramos: F-1 is an ordinance of the City Commission of the City of Coral Gables authorizing entering into a Purchase and Sale Agreement for the sale of the City-owned surface lot #31, 350 Greco Avenue, Coral Gables, FL 33134 to JRFQ Holdings, LLC, a Delaware limited liability company; providing for a severability clause, repealer provision, codification, and providing for an effective date. This is an ordinance on second reading. I understand that there is a motion on the table to reconsider the first vote.

Mayor Lago: And my motion is very simple. And before we entertain -- obviously, the Chair is going to entertain a second. It's very simple. I want to cure this issue moving forward. I want to have a fresh start before we listen to the Manager, who has a very detailed presentation. I want to start from the beginning, because at the end of the day, this is about the public trust, and we need to make sure that we set an example moving forward, and that -- I'm more than willing to start the process over, listen to staff, understand where we stand today, but I want to start with -- I want to start fresh without any sense of impropriety, and make sure that the public trust is always placed first.

Commissioner Menendez: I'll move it.

Commissioner Fors: Do we have a second?

Commissioner Anderson: Second.

Commissioner Fors: It carries.

Unidentified Speaker: Is there a vote?

City Clerk Urquia: Any discussion among the Commission?

Commissioner Fors: Any discussion?

Commissioner Anderson: Yes.

Commissioner Menendez: Yes.

Mayor Lago: Yes.

Commissioner Fors: Yes.

(Vote: 4-0)

City Attorney Ramos: You may now resume taking the meeting.

Mayor Lago: Okay, I just want to make sure. It's my second meeting, the first time I do this so thank you, Commissioner Fors. I appreciate it.

City Attorney Ramos: The ordinance is now on first reading again. It is a public hearing item. Mr. Manager and Ms. Sardinas.

Mayor Lago: Mr. Manager, the floor is yours. Thank you.

City Manager Iglesias: Thank you, Mayor, Commission. Zeida Sardinas, our Asset Manager, and I will be both presenting this item. Thank you. Ms. Sardinas will be presenting the history of the item, and I will be presenting the site analysis of the item. Thank you.

Asset Manager Sardinas: Good morning, Mayor and Commissioners. Zeida Sardinas...

Mayor Lago: Morning.

Asset Manager Sardinas: Economic Development, Asset Manager. I'm going to take you through the history of this item and through the changes that occurred between first and second reading where we amended the PSA.

City Manager Iglesias: Excuse me. We need the presentation.

Asset Manager Sardinas: Yes.

City Manager Iglesias: Thank you.

Asset Manager Sardinas: On December 28, 2018, the City received a letter from BF Group, LLC, represented by Lester Garcia and Jose Boschetti. BF Group was purchasing the two adjacent lots south of the parking Lot 31 and was interested in acquiring the lot as an aggregate site for a development project. In early 2019, the City was approached by ZOM Living, who controls several parcels to the east of Lot 31. ZOM was designing an assisted living facility and was also interested in acquiring Lot 31 as an aggregate site for their project. On May 14, 2019, the City Commission, pursuant to Resolution 2019-103, directed the City Manager to work with the two parties to evaluate options for the sale and/or development of Lot 31 and provide recommendations to the City Commission on how to achieve those options. On May 22, 2019, the City held a meeting with ZOM representatives. Soon thereafter, ZOM decided to proceed with their project as designed using only the lots to the east of the property. In December of 2019, the City again

was approached by BF Group, LLC representatives, Lester Garcia and Jose Boschetti, and City staff held a meeting with Mr. Garcia and Mr. Boschetti to discuss their continued interest in acquiring Lot 31. Between February and July of 2020, the City engaged Waronken & Rosen to conduct the first appraisal of the property. BF Group provided a zoning verification letter for the two adjacent lots, and the City's Planning and Zoning Department issued a zoning verification letter for Lot 31. Both letters were provided to the appraiser. On July 13, 2020, Waronken & Rosen completed their appraisal of Lot 31 and provided an opinion of value of \$3,350,000. On July 28, the City held a conference call with Mr. Garcia and Mr. Boschetti to review the appraisal based on the purchase of Lot 31 as an aggregate site for the development project. It was made clear to BF Group, LLC at the time that the City would not accept any offer below appraised value. On October 16, 2020, Mr. Garcia from BF group forwarded the City a purchase and sale agreement for Lot 31 from JRFQ Holdings, LLC for \$3,500,000. BF Group, LLC had sold their interest in the two adjacent lots to another entity who also had members in common with JFRQ Holdings. On November 9, 2020, the City submitted a counteroffer/revised PSA to legal counsel for the purchaser. Subsequent negotiations took place between the purchaser's attorney, the City Manager, and the City's Attorneys. The contract became effective February 8, 2021, subject to City Commission approval. In February of 2021, the City engaged Quinlivan Appraisal to conduct a second appraisal for Lot 31. The City continued to communicate with Lester Garcia and Jose Boschetti from BF Group, LLC regarding the appraisal process. On February 16, 2021, Quinlivan Appraisal completed the second appraisal with an opinion of value of \$3,525,000. Between March and April of 2021, the terms of the contract were presented to four City advisory boards, and all four boards recommended for the approval of the proposed sale. On May 11, 2021, the ordinance to authorize the approval of the proposed sale was presented to the City Commission on first reading and was approved subject to an amendment to the PSA in order to provide for the City Commission's direction. On May 14, the City issued the First Amendment to the PSA based on the City Commission's direction. The purpose of the amendment was to include a restrictive covenant that would run with the land to bind the purchaser and any successor-in-interest as follows: The 34 parking spaces shall: be available to the public at all times, be maintained by the purchaser at their expense at a standard equivalent to other municipal parking garages in the City,

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Agenda Item F-1 - Ordinance of the City Commission of City of Coral Gables authorizing entering into a Purchase and Sale Agreement for the sale of the City-owned surface parking lot at 350 Greco Avenue, Coral Gables, Florida 33134 to JRFQ Holdings, LLC, a Delaware limited liability company.

Page 6

include signage and a certain number of handicapped spaces as required by applicable law, include eight individual electric vehicle charging stations. These eight charging stations will be in addition to the City's 2 percent electric vehicle charging station requirement for the entire project. All electric vehicle charging stations installed at the property shall have a minimum charging level of AC Level 2. The end user of the charging station will pay for all electric charges in connection with the charging station's use. The parking fees charged for the public's use of the public parking spaces shall not exceed the lesser of 25 percent over the maximum parking fee rates charged by the City of Coral Gables or the maximum parking rate charged at City of Coral Gables privately operated lots. Lastly, the City included waiver language in this ordinance, pursuant to Section 2-1089 of Division 12 of the Procurement Code, which states that the City Commission has the authority to waive any condition imposed by the provisions of Division 12 of the Code upon a four-fifths vote where it finds such a waiver to be necessary in order to proceed with a purchase, sale, or lease, which is in the best interest of the City. It is important to note that this is not a new practice, that of the last 12 transactions that have been approved by the City Commission for the purchase or sale of City-owned property going back to 2010, 11 of them have been included -- have included the same waiver language.

City Manager Iglesias: Thank you. Thank you, Zeida. Before we start with the site analysis, I would like to make something very clear for the record that at no time did I ever have a meeting or a discussion with Commissioner Mena or ex-Commissioner Quesada. At no time were there any discussions with me concerning this sale. Thank you. The subject property is on Le Jeune Road, just south of Merrick Park. As you can see in the photograph, it is not a good location for a park. The west neighborhood must cross Le Jeune Road. Le Jeune Road is our second-most traveled roadway. Safety concerns are there for a park, so not a feasible site for a park due to really high traffic and safety concerns. City keeps site: not a feasible site for a standalone parking garage. If we look at the existing site, it is one way. You cannot have a parking garage multiple level structure with one-way parking. One way -- this one-way circulation, as you can -- oops, excuse me. Okay, thank you. This is an aerial photograph of the parking garage as it exists now, diagonal parking, one way in from Greco and out into Greco. This type of arrangement cannot

happen in a multiple level parking garage. You must have circulation. You must have larger widths so that you can move in both directions. So, the existing conditions really are not good for a parking facility. There's a significant reduction in parking per floor on a parking garage like this. This is really -- this site is not really feasible for a stand-alone parking garage. The current zoning of the site is MX1. The lot of area is 13,343 feet. The FAR is 3.5. There is a mandatory 10-foot setback off of Le Jeune Road. And with a 3.5 FAR, you can develop 46,700 square feet. However, that development requires 155 spaces. The parking requirements of this site are very, very difficult. You -- it's a very small site to park 155 cars. The shape and size of the property places serious architectural constraints on the building and parking design. This is not a rectangular site. This is a trapezoidal site. The site is small. The front is limited to approximately 110 feet, and it's a very difficult site to work with from an architectural perspective. This is an example of a linear parking -- of linear parking on a small site, 1901 Ponce de Leon, where parking circulation is very restricted. The typical -- the linear parking approaching -- approaches from Le Jeune Road. It goes in Le Jeune Road and out Le Jeune Road. And then there is also linear parking approaching from Majorca Avenue. It goes into Majorca Avenue and goes out Majorca Avenue, with a turning space at the end. The reason being is the lots that are not large have circulation problems. You really -- there -- it's very difficult to provide something that is not linear in this case. You cannot possibly do this for 155 vehicles, not possible. When I mention the City sells site -- I mentioned the City sells the site on its own, without an aggregation to an adjacent site. We had ZOM that was going to -- that was thinking about purchasing the entire property to Le Jeune Road, interesting concept because they could have used also the alley. However, that did not work out. So, the current other adjacent property is directly to the south. If City sells site on its own, this site is really -- is a commercial low-rise intensity area, 3.5 with mandatory Med bonus and a maximum of 77 feet. The maximum construction height and ensuing parking requirements are not compatible. Notice that we have a setback. There is a 10-foot setback at the ground line, and there is a 10-foot step back at 45 feet. Maximum is six stories. Really, if you try to put 155 cars there, you can't even fit it within the six stories. It becomes a very inefficient, small parking garage, not feasible, not feasible for that. This is very rough conceptual of what can be built there. The green is the 10-foot mandatory setback off of Le Jeune Road. The pink is a 20-foot required liner, so if

we -- if the site depth is 100 feet, you remove 10 feet for the setback, 20 feet for the liner, you're left with 70 feet. That's all you have. This is very, very difficult to create parking; cannot really park 155 cars there, cannot truly develop the site to the maximum potential of 46,700 feet. Parking circulation, really in 70 feet, very, very difficult. Just parking on two sides with a two-way travel lane is 50 feet. So, you really use up the majority of that 70 feet. So, what do we have? We have really a linear parking requirement there also because of the constraints of the very small site. The linear parking requirement, we show it on the alley. Optimization: the next-door owner buying this property would result in a value to this owner that will surpass the value of selling this property as a stand-alone to another owner. The combined width of approximately 300 feet with additional accessibility from Granello, the much larger side allows for multiple parking schemes with possible combination of underground and above surface parking; much better building, much better to do parking. You have -- instead of just having access from the alley and Greco, you have access from the alley, Greco, and Granello. Optimization: financially, the City wins. The adjusted land value based on \$80 per square foot, which is an approximate price for developable space currently, is \$3.7 million. Linear parking -- the linear parking, after doing various parking designs -- and this is not an exhaustive review -- was about 42 spaces. The public parking required is 34 spaces, which is critical. This is 34 spaces will remain for the public. So, the remote parking will be 155 minus 42. There's 113 spaces required. There is -- for remote parking. We do have 400 cars in Merrick Park that have City -- have control by the City. Our Parking Director -- this would take over 25 percent of those parking spaces. It's not something our Parking Director is really looking for. If they go with parking in lieu for remote parking, it's 113 vehicles, that's \$1.13 million. If we look at the overall site minus the \$1.3 million, it's \$2.6 million. If we look at the 2020 assessed value for this property, it's 20.1 -- \$2.13 million. And very important, no real estate commissions are involved in the sale. Optimization: the next-door owner combines existing site with the property, allows the City to capitalize on better architecture, higher sale price, and a result in higher property taxes. If we look at the maximum parking revenue for this site, it was \$71,000 in 2019, pre-pandemic. The sale price is \$3.5 million, which is 49 times the maximum parking revenue. It would take an assessment of \$12.8 million to just -- to provide the \$71,000 that this site at its peak provides. We -- this site is a very difficult site to develop on its own. This site

provides the 34 parking spaces that are originally on the site. The site provides eight additional charging stations. This is a win-win for the City at this time. I can take any questions.

Commissioner Fors: I have a quick question, Mr. City Manager. In the hypothetical situation where a purchaser purchases the parcel by itself, a purchaser who does not also only adjacent lot, they have the requirement of 155 parking spots. Is the -- would the 34 spaces -- if it was purchased with the covenants that we're insisting on -- would the 34 spaces be in addition to the 155?

City Manager Iglesias: No, those will be...

Commissioner Fors: In the 155.

City Manager Iglesias: Yes. But remember, Commissioner, that the 155 is basic -- it is to provide the maximum FAR, the maximum square footage, which as you can see, is very difficult to do on this site. Hence, the site by itself will be affected in value because of the additional parking requirements.

Mayor Lago: Mr. Manager, really quick, before we get into comments for the Commission, Mr. Clerk, do we have any public comment?

City Clerk Urquia: We have one speaker, Mr. Mayor, Ms. Maria Cruz.

Mayor Lago: Ms. Cruz, this floor is yours.

Maria Cruz: Okay. It seems to me that, once again, the Administration is not listening to the people. We have heard today most of what we have heard before, but this is not what we're saying. We're saying very clearly that, number one, there's no urgency. The City's not bankrupt. If we don't sell it, we don't sell it. We can make payroll. We have no urgency in selling this land, number one. Number two, the proposed price to sell it is \$25,000 less than the last appraisal.

Number three, and more concerning to me, I took the time to request documents. I have read very carefully the Property Advisory Board verbatim minutes of March 10. I find it extremely concerning that there was a member of that board that kept asking questions, and the questions from the staff were not completely truthful. At one time, the question was asked about whether the Quesada on the list was related to Commissioner Quesada. She said she did not know. Then the next question -- then shortly after, she says, "Well, it could be the father." Well, she was asked -- I mean, that went around and around in the verbatim minutes that show how she -- some people would say -- played with the answer. So, "I don't think that it's his law firm. It's not him. And then, it could be the father." I mean, I'm looking at the minutes as we speak, okay. Also, the issue of vacating the alley between the property they already have and this property. And very clearly, she said she didn't know -- she doesn't know whether that's going to be requested. There's no idea, okay. She was not sure what the final decision had been on the alley. If the staff is so involved with this, I would have assumed -- and I know that "assume" is not a good word to use -- that she would have had all the answers so that this board could have gotten an idea and we could have seen that it was really transparent and that there was no -- nothing been hidden. This was -- this board met March 10, 2021. That's what, two months ago? And still, the answers didn't come forth. I have a problem. I have a serious problem, and I think your residents and taxpayers have a serious problem. If the staff cannot answer questions, how can they recommend the sale? I'm sorry. I think this needs to go back, and I applaud the Mayor for saying, "Let's go back to square one." And the square one should be let's do it all over again. Let's put it up for sale and let the chips fall where they may. You know what? We do not want to get more money than it's worth. Of course, we would never do that such a thing, so what's wrong? We need to be transparent. This -- I suggest you all read the minutes from the Property Advisory Board, March 10, 2021 and see how the staff could not answer. If they couldn't answer, they couldn't recommend, and the staff shouldn't be recommending. And let me tell you something else. This issue of vacating our land, the land that we own, has to come to a fast stop. People want land (INAUDIBLE), they should pay for it, or else some of us will be requesting -- I would like to see half of Miller Road in my front lawn because, you know, it would look pretty. You know, it's silly. We need to stop giving away what is ours. And that's -- you all need to -- the elected officials need to listen. You've

gotten emails. You've seen it in the press. You've seen it in the blogs. You see the answers from the people. We do not want this sale to go through as is. If everything goes back to the beginning and they are the best people to sell it to, I have no issue, as long as the alley is not being part of the deal because that's land that's ours. And it has a price, and they should pay for it, but that's later on. At this point, I think the message has been very clear. Anybody who hasn't heard it is either deaf or chooses not to listen.

Mayor Lago: Thank you, Ms. Cruz.

Ms. Cruz: We do not want this done. Bye-bye.

Mayor Lago: Thank you, Ms. Cruz. Quick question.

City Manager Iglesias: Let me answer that question, Mayor, just for one second.

Mayor Lago: But before we move on...

City Manager Iglesias: Because...

Mayor Lago: To answering that question, I have a question. And I know that we have several...

City Clerk Urquia: We have one more speaker.

Mayor Lago: We have one more speaker.

City Manager Iglesias: Oh.

Mayor Lago: In regards to the vacation of the alley, what is the standard procedure that -- how this has been conducted in the past?

City Manager Iglesias: I can answer that. I can answer that, Mayor. An alley is not right-of-way. An alley is a service corridor.

Mayor Lago: Yeah.

City Manager Iglesias: And when you own both sides of the alley -- the only -- the reversion of this alley could have happened when ZOM -- if ZOM would have bought the property because ZOM owns both sides of the alley; hence, there's no service corridor required, so that's not right.

Mayor Lago: It would have extended the...

City Manager Iglesias: We've done that...

Mayor Lago: They would have extended the footprint of their building, encroaching onto the alley, and moving onto these properties, if they had bought these additional (INAUDIBLE)...

City Manager Iglesias: ZOM, but not JRFQ Holdings. That's a different property. There is the alley -- that alley is serving now ZOM, it's serving them. So, had ZOM bought the entire block, then an alley is not right-of-way. We've done this many, many times. We did it in our own Public Safety Building.

Mayor Lago: It's not the case now. So, what moving forward?

City Manager Iglesias: Okay. So, that is not the case so there is no issue. So, to ask the Asset Manager concerning the reversion rights of an alley, that is a question for Public Works Department for us to deal with. So, her answer was correct. Concerning JRFQ Holdings, our Asset Manager mentioned that it could have been the father or -- that it could have been the father or a member of the family. That is the answer that she had. That is an accurate answer. There is

nothing wrong with that answer. So, she was very clear in her meeting to that board that it could be the father or a family member, and alley reversion is something that deals with the -- it's an engineering issue that deals with the Public Works Department. There could have been a reversion, yes, if ZOM would have bought the property because then they would have had it all the way to actually Le Jeune Road. And let's remember that an alley is not a right-of-way, an alley is not a road. It's a service corridor for that block.

Mayor Lago: So, a quick question, Mr. Manager. Is there plans to vacate the alley if this deal moves forward?

City Manager Iglesias: No.

Mayor Lago: Okay. Obviously, because you have ZOM on the other side that needs it to service their building and they probably have -- they use that corridor, or they use that alley.

City Manager Iglesias: That is correct.

Mayor Lago: I haven't looked at their plans, but I imagine there's some sort of access that's required by that alley.

City Manager Iglesias: That is correct, Mayor.

Mayor Lago: So, I -- it keeps being brought up. That's why I wanted to make a point to clarify that, that there is no plans to vacate the alley.

City Manager Iglesias: No, Mayor.

Mayor Lago: Okay. Moving on to the comment that the Manager just made, I'll be the first one to say it. I misspeak sometimes in an effort to come to a conclusion. I don't think you misspoke.

I don't think anybody had a conversation with you and told you if Vice Mayor Quesada was involved -- ex-Vice Mayor Quesada -- that's the appropriate way of putting it -- or if it was his father or if it was another individual. I just think that you knew that it was a company and you answered it appropriately. It may be the father; it may be the son. You were not aware of exactly who it was because, again, you're dealing with a company. And my understanding was -- and correct me if I'm wrong because I, along with everyone on this Commission, has never talked to Commissioner -- Vice Mayor Quesada about this issue or Commissioner Mena on this issue. You were dealing -- did you ever deal with Lester?

Asset Manager Sardinas: Yes, sir.

Mayor Lago: Okay. He was representing the entity.

Asset Manager Sardinas: Lester Garcia and Jose Boschetti were the people we've met with.

Mayor Lago: Alright, perfect. Okay, I just wanted to put that on the record because I've dealt with you a litany of times, and you've always been the consummate professional. You've always gone out of your way, and I want to put it on the record that, you know, we all make mistakes. And if that mistake happened, it's not an issue where we should crucify somebody over. It was not done in the intention to mislead anyone. So, I have no issues with that at all, and I wanted to put that on the record because I support you on that. Moving forward. Mr. Clerk.

City Clerk Urquia: Yes, sir.

Mayor Lago: Who else would like to speak on the record?

City Clerk Urquia: We have one more speaker. It's Arthur Cullen.

Mayor Lago: Mr. Cullen, the floor is yours.

Arthur Cullen: Yes, thank you. Can you hear me?

Mayor Lago: Yes, sir. Thank you for being here with us.

Mr. Cullen: No, thank you for listening. I'd just like to read into the public record a letter that I sent to the Commission earlier in the week or last week. My wife, Nieves Feal, and I own Havana Harry's restaurant at 4612 Le Jeune Road. We're asking you to delay your pending vote for the sale of the Greco Avenue surface parking lot to JRFQ Holdings, LLC until several important issues are addressed. I only learned of the impending property sale several weeks ago and contacted numerous City officials that were not aware of any construction or site plans for the parking lot's replacement. We're heavily dependent on the 34 public parking spaces for the continued success for our restaurant, especially post-pandemic, when we're finally getting back on our track financially. We welcome and believe good development benefits the entire community and only look to ensure that our business is not negatively impacted by any change. The Greco Avenue parking lot is continually utilized during a week, both day and night, by our customer base, and provides easy access to our restaurant and the other business establishments on Le Jeune Road. I would expect that any new parking lot provide the exact same accessibility and convenience that currently exists. Additionally, I've been fortunate enough to witness the precedented development to this once obscure business area. However, the need for more parking to this area has not kept pace. It'll be very beneficial to both the residents and the public if additional parking spaces are negotiated as a condition of the sale of this property. My other concern is there doesn't appear to be any plans in place at present to mitigate the loss of these parking spaces during any construction phase. A construction project of this size would realistically take two or more years to complete. There is no other nearby or alternative parking in the area to replace these parking spaces that our business depends on. While we are appreciative of the City of Coral Gables recently adding additional on-street parking to the adjacent side streets, these limited number of spaces do not compensate for the loss of a parking lot of this size. I would like to suggest an idea to extend the very successful valet service that operates in the Central Business District and have the same

service afforded to the Greco Avenue and Le Jeune Road during any construction period. Any expense for the service beyond the current two-hour parking rate charges should not be incurred by the public expecting to use the Greco Avenue parking lot. It's imperative for the City of Coral Gables to address these concerns, negotiate any necessary conditions or concessions prior to the sale of this very valuable property. Again, my wife and I welcome development to the area and only ask to be treated fairly in this matter as a neighbor and a businessowner. Thank you for your time and consideration.

City Manager Iglesias: Let me say, Mayor, Commissioners, that we have looked at this. We are adding 34 parking spaces, the spaces that were removed. I think this is something that have -- we will be looking at once we do our mobility hub, and that is our Coral Gables Parking Authority, to start incorporating parking -- private parking into the public parking arena. This starts with 34 cars. And by the way, the covenant does not limit it to 34 cars. They asked for that to be put in, so it does not limit it to 34 cars. We're also -- the Public Works Department knows that there are issues here, so we are working on a crosswalk that we believe we have approved, and we'll be working on with the Florida Department of Transportation to actually ask to have better access for crossing Le Jeune Road. So, this really works into what we're looking at. We're looking at shared parking. We have a lot of park -- we will -- as transportation needs change, and as our transportation requirements evolve, we are looking for this shared parking -- this shared parking initiative. This really starts at -- we've replaced the parking that is there. The cost will be similar to a City facility. In addition to that, we're providing a crosswalk and the covenant allows them to have additional parking spaces that they can use on the shared parking concept. This really evolves into what we're trying to do, and that is capture as much parking as we can, eliminate needless parking garages. And so, this is really a beginning of what we're trying to do, of what we're trying to really accomplish. So, I think this moves the needle forward in many ways, and also provides a much-improved facility to a -- to just a surface parking lot.

Mayor Lago: Thank you, Mr. Manager.

City Attorney Ramos: Mayor, I just want to clarify. This is on first reading since you're moved to reconsider. However, the PSA before you right now includes all of the items that Ms. Sardinas described in the presentation.

Mayor Lago: Okay. I have a quick question in regards to the gentleman from Havana Harry's. He made a comment that he was not notified. Do we have anything in the books that addresses the concern when the City sells a property that we must notify the adjacent owners or residents?

City Attorney Ramos: There's no mailed notice requirement, no.

Mayor Lago: None. Okay, is that standard procedure in other municipalities or...

City Attorney Ramos: We can look into it. I don't know.

Mayor Lago: If you could do me a favor and we can potentially bring it back to the Commission, I'd like to understand a little bit about if there's an opportunity for notice. Because again, he is correct. He is one of a handful of businesses in a very obscure area in the City that's a pocket that would be affected once this parking is taken offline to eventually be brought back in a much better, you know, condition for everyone to enjoy in this community. But he makes sense in that comment. And we do offer notice for a litany of other situations that come before this Commission that the City's handling with residents and the business community, and this one makes sense in my opinion.

City Attorney Ramos: So, depending on the development that would go there, he might get notice regarding that development, depending on what it is. Also, there's a management agreement that would go into place between the time when the property is sold and when the development comes online, so that parking would be continued throughout that period of time.

Mayor Lago: But I'm not talking about the development. I'm talking about prior to the sale.

City Attorney Ramos: Right.

Mayor Lago: And why is that important? It's important because we can notify the adjacent businesses and start working on an alternative plan to address the lack of parking during those year and a half to two years where the construction project is ongoing, which is going to be an issue for those businesses because I go to Havana Harry's. I order takeout. I've been there many, many times, and they already have a parking issue in itself. Their parking lot -- even -- it's only exacerbated now as a result of COVID and the outdoor dining that they have there, so they have an issue. They really depend on those 34 parking spaces. I've never had the pleasure of meeting this individual, and I'm happy that he actually showed up today.

City Attorney Ramos: We'll research for you what other municipalities do.

City Manager Iglesias: And Mayor, let me answer that because we have considered Havana Harry's and the people across the street -- the businesses across the street. But by working with the DOT to provide that actual crosswalk, by providing 34 cars, and we will provide a parking alternative. You don't design that building, as you know, in two months. So, we have a year to actually design the building and get that building permitted. During that time, the parking lot will continue because it will continue to be leased as a City-operated parking -- surface parking lot. And during that time, we will -- the idea was to have our Parking Director help them as much as possible with their parking. As you know, any time you do a project, when we did streetscape, we affected the entire Mile. It's very difficult to do something new and get something done without affecting -- with zero effect. But we're certainly going to provide as much help as we could to all those businesses across the street.

Mayor Lago: Thank you, Mr. Manager. I just -- like you heard the gentleman from Havana Harry's, he was very grateful for the additional on-street parking which was provided. I know that we're going to be providing the crosswalks and the -- returning the additional 34 parking spaces

back to normal in a much better condition, in a better -- in a safer -- protecting people from the elements. But the idea of notice -- and I've -- we've always been in favor of more notice. It doesn't hurt anyone. And we take the most drastic steps to ensure that we provide ample notice to everyone in this community. And I think we're going to 1,500 feet from where any project is potentially being considered. No other city, you know, casts a net that wide. So, I just want to make sure that we look into that, and I appreciate the City Attorney to get me the information.

City Manager Iglesias: And to answer a question for that, I think that with the shared parking concept and the fact that the covenant allows for additional spaces to be used for public parking, what could happen is certainly at night there could be substantially more than 34 spaces there. Because once we go with the shared parking initiatives -- and this really starts it -- there could be a hundred spaces there. So, this could really benefit those businesses quite a bit with substantially more parking in addition to that crosswalk that we are planning for crossing Le Jeune Road. So, this project, there may be a little pain, but it can certainly be a very, very big positive for that area with the shared parking concept.

Commissioner Menendez: If I may. Question, while the construction is ongoing and they're shut down for a year or two years, I think it's important to see what other parking options that are for that time. One thought is Coral Gables Senior High. Next to the track at the athletic fields, they have ample parking, and perhaps we can approach them about, in the evenings when there is no school activities, making -- you know, working an arrangement, perhaps with the School Board on -- can the City access those parking lots because, at least from that location, they don't have to cross Le Jeune Road. They just walk down the sidewalk a block and they're at the restaurant. Just an idea.

City Manager Iglesias: Yes, Commissioner, thank you.

Mayor Lago: Yeah, that's a good idea. Thank you. We'll now open it up to the Commission so we can have a discussion amongst ourselves. We have no other further comment, do we, Mr. Clerk?

City Clerk Urquia: No, sir.

Mayor Lago: Okay, well, I close the public comment, and let's have a -- you know, would anybody like to discuss this item?

Commissioner Fors: Sure. And before I have a couple of general comments, but I do have some questions for the Asset Manager because this is something that I called you to discuss in between last meeting and this meeting. At the time of the Property Advisory Board meeting that was brought up, you were not aware exactly of what the connection that former Commissioner Quesada had to the potential purchase of the property, isn't that right?

Asset Manager Sardinas: Commissioner, the questions that I received at the Property Advisory Board were related to the law firm. I didn't understand or remember where -- whether there was a connection. I had heard that there was a connection. The person that has been speaking with the City with respect to all of the documents is an attorney named Juan Valdez so that was all that I said. I believe that it was his father, but I didn't know for sure. So, I didn't want to state otherwise.

Commissioner Fors: And it is his father's law firm that was acting as real estate attorney, wasn't it, Quesada's father's law firm?

Asset Manager Sardinas: Mr. Valdez works, yes, at that law firm, yes.

Commissioner Fors: Is it -- and City Manager said it already -- but during your evaluation of this sale, have you ever spoken to Commissioner -- former Commissioner Quesada?

Asset Manager Sardinas: No, sir.

Commissioner Fors: Okay. When -- as the City's Asset Manager, when you evaluate the potential sale or purchase of land, I'm assuming you look at many different factors, real estate-based factors, and special interest of the City, et cetera. Does the identity or rather the identity of the shareholders of the potential purchaser or the potential seller ever weigh in as a factor when you're analyzing whether something is a good real estate deal for the City?

Asset Manager Sardinas: I follow the process that we have as part of the policy that we follow, in other words, the Code, and I take that into consideration. We went through the appraisal process, which is basically the way that you prepare things and requested documents as stated in our Code to be filed at the Clerk's office, to do the things that we need to do. But...

City Manager Iglesias: I think, Commissioner -- I think if you're asking does that change the process, it does not. We follow the exact process. We went through two -- we had a second appraisal just in case. We asked the appraisal to look at this as an aggregate site to the southern site, so we were very -- we wanted to make sure that we took advantage of the fact that we were aggregating sites, and it was advantageous to the southern property owner for that. So -- and we went to a second attorney. The average -- the second appraisal -- excuse me, the average appraisal was \$3.4 million, if you average both appraisals, and our offer was 3.5. At no time were we going to take any offer less than the appraised value based on aggregating that site to the southern site, so that was clearly told to both appraisers so they would take that into consideration. And really, that maximizes the appraised value on our site. So, in no way did I or the Asset Manager speak to Commissioner Mena. And I'll state that for the record again. We did not speak to Commissioner Mena. We did not speak to ex-Vice Mayor Quesada, never. That would not have happened. That never happened. That will not happen ever here. Whoever decides to buy the property -- and we will -- I would like to get always the maximum price for our City. There's nothing wrong with that. I'm sorry, I come from the private sector. I think we should maximize our assets. There's nothing wrong with that, but we will follow our procedures with -- as far as maintaining appraisals,

as far as what we do. There has been nothing wrong done here, nothing, and I say that for the record. What we've tried to do is maximize the price that the City gets, provide 34 spaces for the property owners across the street, in addition to that, provide a crosswalk, provide as much help as we can. And I think with the shared parking concept, they may even get more than that.

Commissioner Fors: I will -- I have some general comments, and I think it's important that I share them on the record, and I've shared them with some residents who have been emailing me between last meeting and this meeting. I just want to share some of the reasons why I voted in favor of the sale the first meeting, as did the other Commissioners and Mayor on first reading, even though now we're back at first reading. Unlike Commissioner Anderson and Commissioner Menendez, I was here for the meeting about two years ago, where at that time, we all voted unanimously in favor of selling this property, no surprise to the adjacent landowners. It was referenced in your presentation, ZOM, and I think the BF Group, which owned it before JFRQ or JRFQ owned it.

City Manager Iglesias: The Boschetti Group.

Commissioner Fors: Exactly. So, we voted in favor of it then because we had discussed at that time we thought it was the best use of the land for us to sell it rather than to use as an underused parking lot. And we authorized -- and when I say "we", I mean the Commission -- negotiation with the adjacent property owners because we identified them as being the people who, whoever they may be, now, then, or before, the people who'd be most interested and to whom this land would be worth most. Negotiations were had; I recall some of those, a lot of them were during COVID. And none of those two deals went through. One of the potential purchasers moved on to complete their projects, as you said, ZOM. I note that because Ms. Cruz said that there is no urgency. And I agree that there's no emergency or urgency, but real estate deals do deal a lot with timing. We've been trying to sell this property for two years and we've already lost two deals that have either died because of the passage of time or because one particular purchaser was not willing to meet our terms. So, although there's not urgency, I think the general understanding is that there's a limited amount, a limited pool of potential purchasers of this property and two of them...

City Manager Iglesias: At an increased price.

Commissioner Fors: At an increased price. One of them is gone for good; they've gone on to build what they were going to build, that's ZOM. And now we're going to be dealing with the same person who owns the one next door. In the interim, the owner of that property changed, the negotiation continued. In my view and the reason why I voted for it last time is because it's the, you know, same deal, but with a different name. Back then, nobody cared. Now you make a former Commissioner 30 percent owner of the entity that holds the property, and you make one of our Commissioners the -- an employee of their other company, and now allegations of impropriety fly. At the end of the day, it's the same deal, in my view; same deal, different name of one of the shareholders. And I get it that the fact that there was a connection between Commissioner Mena and the company purchasing it and the fact that Commissioner Frank Quesada, is a 30 percent shareholder of that company. I get that it looks bad. I -- on the first meeting -- took that fact, although I had found out before because I'd read it in the minutes of the Parking Advisory Board meeting, I believe. Like many things in life, some things look bad, then you read the facts, and in fact, they're not bad. Other times, things look good, and you look at the facts and they're not good. But the first impression of a situation is not something we can go on, so I really focused coming to that first meeting on the facts and whether the deal was good, similar to the time where I sold my house. I looked at whether the deal was good, not the identity of the person buying it. I'll admit I -- out of curiosity -- I got on Facebook and I searched their names to see who they were, but it did not really play a role in my evaluation of whether the price they were offering and the terms they were offering were acceptable to me or not as a good deal. Fast-forward to two years later at our last meeting, the Commission again, knowing that the connection between Mena, Quesada, and the fact that Quesada was a shareholder in the company that has now purchased that lot -- or purchased it in 2019 -- also voted in favor of it. I believe -- and this was just two weeks ago. -- I believe that -- well, I don't believe, I know why my colleagues voted in favor of it and why I did too, and it's because it was a good deal. I mean, we touched on some of the points, the fact that the max grossing year ever for that lot has been \$71,000, and it would take 49 years to

recover it, recover that money, and that's not even if you start capitulating the return, in which case, you're really looking at a better use of your money by yielding the 3.5 now. The fact that the sales price was higher than the average of the two appraisals that we had done. A very important fact for me is we consider how we're going to go. Here is the fact that there's no sales commission, which in this case -- correct me if I'm wrong -- but could exceed \$200,000, right?

City Manager Iglesias: Around that number.

Commissioner Fors: Right. So I mean, that's an important factor. And obviously, important for us, the 44, the return of the 34 parking spots, as well as the expansion of the electrical -- the electric charging stations in that area. And of course, the fact that there's no real use for that property as a park, at least not in a direction that this Commission is willing to go in. And finally, the fact -- which I always look carefully -- and I thank the residents who volunteer and take time out of their lives to serve on our resident boards -- the fact that all three boards -- or was it four boards?

Mayor Lago: Four boards, Commissioner.

Commissioner Fors: All four boards approved the sale before it came to us, and the fact -- including this board being the fifth, which approved it. Moving forward with the recusal of Commissioner Mena, pretty much any Commissioner here has a veto on the deal, as I understand it. So, I'm assuming that there'll be discussion of advertising for sale, putting it out for public sale, and I'm not sure -- and I'll -- we'll hear about it if we get into a discussion of the different ways you can do that and in what manner you can do it. I do want to make clear for the record -- although it's already been made clear -- that at least no time in recent history has the City done that with a commercial property, because a lot of emails that I received said it's very suspicious that the City waived that process here. I want it to be very clear that we've -- at least in recent history -- have never sold a commercial property through a public sale or a public offering, so there's nothing special about it in that sense. As we consider today whether to go to a public sale or not, I think it is important to ask ourselves why we're going to go to a public sale. If we're really just going -- if

we're going to go to a public sale because it's just going to make everybody feel better about it, you know, maybe that's a valid reason to do it. I understand. But I want it to be clear that if we go down that route, that we're doing it so everybody can feel better about it and not because anything was done incorrectly or improperly going forward. That's the one thing that I won't have the implication of. We've all voted in favor of this deal already, not only to these purchasers, but back two years ago for the general idea of selling it. So, let's just keep that in mind and not allow any different direction that we may or may not decide to go into today to be an implication that something was done incorrectly here because I think if something was done incorrectly here, there are no new facts I think from last meeting to this meeting. If something was done incorrectly here, I can assure you that it would not have received the unanimous vote in favor of it by me or my colleagues. I have no other comments for now.

Mayor Lago: Thank you, Commissioner. Commissioner Anderson.

Commissioner Anderson: I have a few questions for the Asset Manager, and it had to do with a lot of the things that I considered as far as the value of this sale. There was additional consideration that was provided with the sale...

Asset Manager Sardinas: Yes, ma'am.

Commissioner Anderson: One of which was the 34 parking spaces. Can you provide us a value as to what those 34 parking spaces are worth?

Asset Manager Sardinas: I think that we calculate them, Mr. Manager, at a certain amount of...

City Manager Iglesias: Parking spaces -- parking garage spaces are between \$25,000 to \$28,000.

Commissioner Anderson: Each?

City Manager Iglesias: Each.

Commissioner Anderson: Each.

City Manager Iglesias: To construct a parking space, yes.

Commissioner Anderson: There was other additional consideration...

Asset Manager Sardinias: Yes.

Commissioner Anderson: That was given. Charging stations over and above the 2 percent.

Asset Manager Sardinias: Yes, ma'am.

City Manager Iglesias: Eight charging stations.

Asset Manager Sardinias: Eight charging stations.

Commissioner Anderson: Eight. And what was the -- do you have an estimate on the value for those?

City Manager Iglesias: I don't. I do not, I do not. But they're certainly a few thousand dollars apiece.

Commissioner Anderson: Two to three thousand, does that sound like a...

City Manager Iglesias: Two to three thousand apiece.

Commissioner Anderson: Fair enough estimate?

City Manager Iglesias: Yes, at least.

Asset Manager Sardinas: The City also gets use of the 34 parking spaces for City vehicles without charge.

Commissioner Anderson: Right.

Asset Manager Sardinas: That is also...

Commissioner Anderson: Now, we're talking about 25 to \$28,000 for the spaces themselves.

Asset Manager Sardinas: Correct.

Commissioner Anderson: Is there an additional value for the use of those spaces that you're...

City Manager Iglesias: Let me...

Commissioner Anderson: Alluding to?

City Manager Iglesias: Let me also say something important and since you're bringing that up, Commissioner, is that if the site is developed independently, we may only get 40 plus spaces, which means that, from a practical point of, can the new owner provide 34 of 42, 44 spaces for the public. It really is not feasible to do that with a small site like this because you simply cannot get the parking in, simply cannot get the square footage in.

Commissioner Anderson: Okay. Now, the cost to sell this through the Procurement Code, what are those costs?

Asset Manager Sardinas: The cost involved in...

Commissioner Anderson: The cost involved, 2-1089 of the Procurement Code, which we would be waiving if we voted in favor of it. If we go through the Procurement Code process, what would it cost?

City Manager Iglesias: I don't think we have those costs as far as going through Procurement. What we've done is we have the cost of two AMI appraisals. We would have to go through that procurement cost. If you're asking for what we would save on that, it would be certainly thousands of dollars in time, but I don't think we have a number.

Commissioner Fors: Would there be a sales commission? Is that...

City Manager Iglesias: Because there...

Asset Manager Sardinas: Is that what you're getting at?

City Manager Iglesias: There could be a sales commission. Right now, there is no sales commissions. As you know, it's that 6 percent of that property, it's over \$200,000. And there is no sales commission now because that was a direct deal between the City and the initial potential buyer, so we are saving -- and somebody comes in later on, certainly during an RFP process, they could come in with a realtor and we would have to pay that 6 percent commission.

Commissioner Anderson: Okay. Walk us through the steps of the Procurement Code. What would have to be done at the bare minimum, advertising, things like that?

Asset Manager Sardinas: Well, if you were going to sell land, you would list the land.

City Manager Iglesias: We have the -- Celeste Walker, our Assistant Director for Finance for Procurement, and she can walk through everything. And Celeste, thank you. If you can help us, I would appreciate it.

Assistant Finance Director Walker: Good morning. Celeste Walker-Harmon, Chief Procurement Officer. The steps as far as the procurement for this type of property would be our normal IFB. We'd actually issue an invitation to bid, and according to our Code, it would need to be out at least 60 days. So, we would follow our standard IFB process. So, in total, between the time of drafting the solicitation, the time it was actually out for solicitation and then evaluation and award, we're talking anywhere between at least 90 to 120 days.

Commissioner Anderson: And would there be a cost associated with that?

Assistant Finance Director Walker: Other than building in for traditional staff time, we do have to advertise, so it is a requirement that we advertise in a daily publication, so the advertisement cost would be the initial cost upfront, just to advertise it in the newspaper. But other than staff time as far as facilitating the process, we have not calculated that type of cost internally.

Commissioner Anderson: Okay.

City Attorney Ramos: There's also appraisal requirements in the Code. Of course, here we obtained them, but they are factored into the Code, two appraisals.

Commissioner Anderson: Okay. Well, we already have those.

City Attorney Ramos: We do...

Assistant Finance Director Walker: Yes.

City Attorney Ramos: But they are a part of the process.

Commissioner Anderson: So, then we're talking about the cost of a newspaper advertisement and...

Assistant Finance Director Walker: And staff time.

Commissioner Anderson: Staff time.

City Manager Iglesias: Staff time.

Assistant Finance Director Walker: Staff time, yes.

Commissioner Anderson: Okay.

City Attorney Ramos: And the process does also require all of the four boards -- well, three of the four -- and we went to four in this case, so that also was followed here. So, it's important to note that while the Procurement Code was technically waived, a lot of the requirements in that section were actually followed.

Commissioner Anderson: Right. So, if we added up the total of the value of the 34 spaces...

Assistant Finance Director Walker: And Commissioner, I did do a quick little search on the charging stations, and they're around 5 to \$6,000 each.

Commissioner Anderson: Five to six thousand.

Mayor Lago: Does that include the electrical the needs to be done too?

Assistant Finance Director Walker: Yes, the Level 2 that we asked for.

Mayor Lago: Okay.

Commissioner Anderson: Okay. I'm going to ask you to add up the total value of the additional consideration and at least let's get it put into the record because you have the 25 to \$28,000 per parking space, the use of the parking spaces, the charging stations that are over and above the 2 percent of the requirement. That's an additional consideration that I think that needs to be on the record, so I'll pass it to Commissioner Menendez.

City Manager Iglesias: And Commissioner Mena said the owner asked not to be limited to 34 spaces. So again, we look at that shared parking concept where at night there may be considerably more than 34 spaces available and the crosswalk for those businesses.

Commissioner Anderson: Okay, and is that a requirement for the sale, that crosswalk?

City Manager Iglesias: It's not a requirement. It's 34, but in the covenant, it's 34 or more, which is something...

Commissioner Anderson: I'm talking about...

City Manager Iglesias: Something that the seller -- that the buyer wanted in there. So, if they want to provide 75 spaces, we would certainly allow them to provide 75 spaces.

Commissioner Anderson: Let me go back to the question. Was installation of the crosswalk part of the consideration?

City Manager Iglesias: No, we've been working on that for some time because we know that there's an issue there. And so that crosswalk is something that we would be -- that we have been

working on with the DOT. It looks like we have a solid footing as far as the DOT in that crosswalk there, which was part of -- part of that initiative was we realized that there's quite a bit of traffic on Le Jeune there because of the actual parking. So that's something that we're working on, and it's certainly part -- something that will benefit the businesses across the street, certainly more cars will also benefit them across the street.

Commissioner Anderson: Okay. I'm going to ask you to put that figure in a record.

Assistant Finance Director Walker: Okay.

Commissioner Anderson: This was part of the reasons for my vote in favor, irrespective of, you know, the relationship that existed, that I thought it was an excellent deal for the City. And I'll pass it to Commissioner Menendez.

Commissioner Fors: If I could say something in parentheses...

Commissioner Menendez: Sure.

Commissioner Fors: Between Anderson and Menendez. I did want to note -- I forgot to mention -- that if -- because I saw it in the PowerPoint. If we were to go in the direction of proceeding to second reading on the sale that's already in place, I did intend to propose capping the maximum cost or price that was charged for the 34 public spaces at exact -- at the max price that the City charges, not 25 percent above it.

City Manager Iglesias: Yes, and they have agreed to that.

Commissioner Fors: Okay.

Mayor Lago: Commissioner Menendez.

Commissioner Menendez: Yes, thank you. I'm enjoying this segment of the Commission meeting. I think the community at large as well. We've touched upon a lot of subjects, cleared up a lot of things I think that were not clear, obviously, to a lot of folks in the City, a lot of residents. My focus -- and actually, I may have to draw in the City Attorney and City Clerk with just a few of my questions -- have to do with the role of the boards. In particular, if the role of the boards changes when they are -- when the Procurement Code kicks in. And my first question -- in particular, I'm focused on the Parking Advisory Board. Do we have what the vote was with regards to them approving this? Do we -- was it unanimous, was it split? Do we have that information?

Asset Manager Sardinias: It was 4 to 2.

Commissioner Menendez: Four to two.

City Attorney Ramos: Also, I'll note that the Parking Advisory Board is not one of the boards in the Procurement Code.

Commissioner Menendez: Not.

City Attorney Ramos: It is the Budget and Audit Advisory Board, the Property Advisory Board, and the Economic Development Board.

Commissioner Menendez: Okay.

City Attorney Ramos: Parking is an additional board that we took it to.

Commissioner Menendez: Additional. Any board -- because I served as the chairperson of the Parks and Rec Advisory Board for many years. And I think the role of boards is something that just, you know, regular families, moms, dads, grand -- don't really know the details, the inner

workings of how they function within the City government. If any particular board is not comfortable with the information provided by the Administration or they want further clarity or they want further additional information, does the board have the authority in and of itself to defer an item to a later date allowing the Administration to clear up points or...

City Attorney Ramos: Sure. The board can say they're not ready to provide a recommendation. The Administration can move forward without a recommendation, but if they want one, they would wait to give that to the board so that the board could vote in favor or against recommending.

Commissioner Menendez: Recommending. And finally, I know that we have different types of boards, and like I said, I was on the Parks and Rec Advisory Board, and there were occasions that the Parks and Rec Advisory Board would pass -- approve an item or make a resolution, and it would come to the City Commission, and sometimes the City Commission embraced it and sometimes they didn't. We understood that was the relationship. So, as a -- is the City Commission obligated to -- how would you say accept? Can they disagree, vote opposite what advisory boards do? So, what's the -- advisory boards, are we locked into what an advisory board does?

City Attorney Ramos: No, they're exactly what the name says. They're advisory to the City. In fact, in this City, the Planning and Zoning Board is actually advisory as well, because they just recommend to the City Commission. The only boards that actually make a decision that are later appealed to the City Commission are Historic Preservation and Construction Regulation.

Unidentified Speaker: Adjustment.

City Attorney Ramos: And Board of Adjustment, those three.

Unidentified Speaker: Historic.

City Attorney Ramos: All the others are technically advisory. And the four in this particular case are definitely advisory.

Commissioner Menendez: Thank you. My point being -- and I think we all as a Commission truly appreciate the work, the dedication of all board members on all our boards across the City government. They put a lot of their time doing their best to guide us. And at the same time, I want the community to know that we take all of their advice into account, no board over another board, no board member over another board member. But it's part of the process. It's the way that our City government is structured for many years and the way it's laid out. So, we try to work together, but they are occasions where we will agree and occasions where we will disagree, but that's the way the City of Coral Gables has been structured since its inception. But thank you for the answers to the questions.

Mayor Lago: Thank you, Commissioner. So, with that being said, what is the will of the Commission?

Commissioner Anderson: Well, I'd like to have the value of those parking spaces placed on the record and the additional consideration.

Assistant Finance Director Walker: After doing the quick math, the 34 parking spaces and the eight charging stations, on the low end, it's \$890,000; on the high end, it's a million.

Commissioner Anderson: And in addition to that, you have the charging stations as well?

Assistant Finance Director Walker: Those two costs -- those two numbers include the charging stations -- the eight charging stations and the parking spaces.

Commissioner Anderson: Okay. I do have concerns about the public doesn't trust the appraisals.

Mayor Lago: Listen, and I agree with you on that issue. And one of the things I want to put on record is in regards to any costs associated with the sale of this piece of property, it can always be put on the buyer in regards to the -- if we move forward with the sale or if we move forward with an RFP, whatever's the will of this Commission. We can always put that -- those costs, you know, additional appraisals, any other professionals that may be engaged, surveys that may be required, we can always put it on the buyer to handle that cost and to be responsible for that cost. So, we shouldn't -- I'm not very concerned about those numbers. I'm more concerned about what the will of the Commission is moving forward so we can take advantage. We've already had three bites of the apple in regards to this property. I think Commissioner Fors summed it up well in regards to the feasibility, and the Manager's presentation was right on point in regards to whether this property makes sense for a park, whether it makes sense to keep it as, you know, a surface parking lot. I don't have an issue moving forward or have an issue moving forward in an RFP. What I want to make sure that we're very careful -- especially as I begin my position as Mayor -- that the will of the people is heard and that we're building -- we're moving in the right direction. I'm in no hurry to get this deal done. We've been working on this deal since, I think, 2008 was the first time somebody -- an entity came forward with an interest in buying the property, correct, 2008? I think we appraised it in 2008, 2009.

City Manager Iglesias: I don't know, Mayor. I'm just working -- we were working on this deal since...

Mayor Lago: Well, I remember there was an appraised in 2008, 2009 before anyone...

City Manager Iglesias: There may have been something done before, but...

Mayor Lago: With the adjacent property owner.

City Manager Iglesias: (INAUDIBLE).

Mayor Lago: And then we went to ZOM, and now we're in the position we're in today. So, I just want to understand -- we could do it both ways. What is the will of the Commission moving forward, and then I'll entertain a motion?

Commissioner Fors: I used the time, as I'm sure all of you did, between the first reading of this and this meeting, to really try to gauge, at least to the extent I could, which I understand is limited, really how the public felt about it, given all the facts, because the fact of the matter is that many of the folks I got an email from who didn't -- weren't going to listen to the meeting, right? They didn't listen to some of the points we gave and some of the facts that were discussed. What makes me feel more comfortable moving forward with the sale is that with all but one exception, everybody who I responded to who had emailed me initially, I would say disgruntled or concerned, once I explained it to them, then they felt a lot better about it. That's what makes me personally feel more comfortable. Speaking about the appraisals, can you tell us a little bit about the companies that performed the appraisals?

Asset Manager Sardinas: Waronken & Rosen and Quinlivan are both MAI-designated appraisers, which the Code calls for, and it is why we use them. Quinlivan has been used before in the City for other things, and they were appraisers that before my time here had been used repeatedly to appraise property. So, the Code calls for me to use that designation, and those were the appraisers that were used. That designation is the highest designation that you have for an appraiser.

Commissioner Anderson: Well, I have an additional question for you on the Procurement Code. We put it out for an RFP, can we set a minimum conditions of the sale, price, the additional consideration? Can that -- is that feasible?

City Attorney Ramos: It would be an IFB, so it's a bid, and we would set the conditions of the 34 parking spaces.

Assistant Finance Director Walker: Yes.

City Attorney Ramos: Maybe the EV stations.

Assistant Finance Director Walker: Yes.

City Attorney Ramos: But the price (INAUDIBLE).

Assistant Finance Director Walker: So, it's at the City's discretion so just like the Attorney is mentioning. The scope of the project would be set by the City once it's actually issued as a solicitation so it would be an IFB. It would be a bid process where they would be submitting their cost or their price that they're proposing to us and it would be awarded to the highest, of course, bidder. But we would be setting the parameters of what that solicitation would look like.

City Manager Iglesias: We have to understand that 34 spaces in that piece of property by itself is very, very -- it's a very big constraint on that property on its own, and that is a big issue in this sale, the fact that we do have a shared parking concept there. And when you have a property that is very limited in its size, the fact that you need linear property, as the property that I just -- as the example in 1901 Ponce, and you're going to put in 34 vehicle -- 34 -- a requirement of 34 vehicles, that is a huge negative on that site on its own. If you can only get 45 cars, that means that you only have 11 cars. We took -- we did some quick numbers, and it was 42, which means that only 8 cars are actual reserved. That's a huge negative on that site selling on its own. Now, when that site becomes aggregated to 300 feet, it's a whole different ballgame. When you have access from Granello, access from Greco, access from the alley. So, if we are going for an RFP and that site has to sell on its own, it is very, very difficult, that requirement of 34 parking spaces, very, very difficult. And it's going to impact that site quite a bit, so it's something to think about because that 34 -- those 34 vehicles are a big issue on the site, are a big issue to be provided on the site.

Commissioner Anderson: I understand, and I know we're not in a rush. Okay, we also want to instill the confidence of the community in our decisions, and I think this could help instill the

confidence of the community in your decisions on what was a good deal because then we do get bids in. And I truly believe that you're not going to get the bids in that you want. We set a floor as to what is acceptable, and then we'll be able to move forward. If we don't get a bid in, then we can proceed with the sale.

Mayor Lago: We don't have to accept the bids at the end of day.

Commissioner Anderson: Yes.

Mayor Lago: And one of the reasons, like I mentioned before, and one of the -- you know, I voted no against the parking garage -- the proposed parking garages that were going on Andalusia, and I was very clear that I would not vote in favor of the Doctor's Hospital sale unless a significant portion of those monies were used and put into the trust for parks purchasing, so acquiring more land, more assets. One of the reasons why you have the requirement for 34 parking spaces is because I, along with my colleagues on the Commission before you were -- before both of you were here -- talked about that we needed to maintain these assets. We needed to make sure that we had a serviceable commercial sector, as you heard by the gentleman from Havana Harry's. So, to me, we don't have to accept anything that is proposed. We always have that fallback position.

Commissioner Anderson: Right.

Mayor Lago: We can maintain the property. But like the Manager stated, the most appropriate partner for this property is the adjacent property owner, and it's not just because it's -- the gentleman who are involved in that entity. Because we've had -- we've tried to strike a deal in the past. Before it was ZOM that, in 2019 -- I think 2019, 2020, like Commissioner Fors mentioned, we were willing to make a deal, to strike a deal, but it was also inclusive of 34 parking spaces and certain other financial considerations that would benefit to City.

City Manager Iglesias: It makes sense that you're selling the property to somebody who had aggregating sites.

Mayor Lago: Yeah. Let me just say that the \$3.5 million that we're planning to use, we're planning to use that on -- for the construction of Garage 7.

Mayor Lago: And we'll have the 34 parking spaces, which is important.

City Manager Iglesias: Yes.

Commissioner Fors: I mean, it's -- legally speaking -- I know the answer to this -- but once we go public with it -- if we go public -- if we were to go public with it, obviously, the current willing purchaser is not obligated under the terms of any contract to purchase the property under the same terms they're offering now. In other words...

City Manager Iglesias: That is correct, Commissioner.

City Attorney Ramos: Right. The purchase and sale hasn't been signed by the City yet because it hasn't been approved by this Commission, so there's no contract with the current potential purchaser.

Mayor Lago: And that's a risk, and that's a significant risk that we take...

Commissioner Fors: The risk...

Mayor Lago: By heading in that direction.

Commissioner Fors: The risk...

City Manager Iglesias: If there is -- this is part of an aggregated site. When that doesn't happen, then this becomes a sale on its own. We have to understand that.

Commissioner Fors: I'm -- I mean, I'll go ahead and say that I've labored over this for the entire time, probably too much between last meeting and this meeting, and the fact of the matter is I'm comfortable moving forward with the sale. But again, you know, this is a case where anyone of us has a veto. I'm personally comfortable for the same reasons that I was comfortable the first time. In my opinion, nothing has changed, and there's a risk that we could end up getting less for this than we're currently getting. And absent a compelling reason to take that risk, I'm not willing to do it. If I was told that I'd be guaranteed the same deal after, maybe that would change my mind. But that's where I'm at.

Mayor Lago: Commissioners, we need to take some sort of action today in regards to -- what is the will of the Commission?

City Attorney Ramos: So, you have an ordinance on first reading now.

Mayor Lago: Yep. Are we move forward with this ordinance or are we moving in a different direction? I need the Commission to make a decision.

Commissioner Fors: Let's -- I mean, should we -- should I just move it? Alright, I move it, I guess, on first reading, as amended, by the way. I guess I would qualify my motion by stating in addition to the terms that have been set forth, if -- I don't know how the Commission's going to vote, but I would -- my motion includes capping the maximum parking fee that can be charged there at the maximum of the City.

City Manager Iglesias: Yes, Commissioner, and they have agreed to do that.

Mayor Lago: Along with ensuring -- if I may add to Commissioner Fors' comments, along with ensuring that the electric charging stations are in place, the proper signage. There's ADA requirements that are met, there's proper lighting, the parking is on the ground floor. It's important.

City Manager Iglesias: The parking will be at the lower floors.

Mayor Lago: Yes.

City Manager Iglesias: It may not -- yes.

Mayor Lago: Okay.

City Manager Iglesias: They have agreed to that also, Mayor.

Mayor Lago: I want it to be a welcome experience. I don't want to see the property owner using those spaces for their own benefit. I want to make sure that it's open to the public. I do not want to get into a back and forth with the commercial properties stating that those spaces are being occupied by the building, you know, 24 hours a day, X amount of time. They're welcome to pay for those spaces as long as they're paying for them -- use them as long as they're paying for them if there's people visiting the building. But I want to make sure that those are truly public spaces.

City Manager Iglesias: And as you know, Mayor, that 300-foot site will provide much more parking, much more efficient parking than this little, smaller site will, which just cannot handle those little 34 additional space -- those 34 public spaces.

Mayor Lago: Do we have a second?

Commissioner Menendez: Before -- I...

Mayor Lago: Or any further comment?

Commissioner Menendez: Yeah.

Mayor Lago: Whatever you like.

Commissioner Menendez: Last time we discussed this -- obviously, we're starting anew -- we talked about the crosswalk. I want to make sure that that crosswalk is completed before that parking garage, you know, if and when it happens, opens up, that we have safe -- people can travel safely across Le Jeune. Also, like I mentioned earlier, during the process, if we do go in that direction, to reach out to the School Board, Gables High, to see if we can help the businesses, like Havana Harry's, find additional parking at least for that period of time that whatever construction's taking place. If Commissioner Anderson doesn't have any other comments, I'm ready to second it, considering the fact that we're coming to a second vote in a couple of weeks, and there's still more time to gather additional information, and if there are new concerns in the community, to have them forwarded to the Administration, obviously, the Commission, and the City Attorney so we can address those prior to and at the second vote.

City Manager Iglesias: We will do that, Commissioner. But let me just be clear that the crosswalk is something that we were working on before this project.

Commissioner Menendez: Right.

City Manager Iglesias: So, it's not for this project. It's something that we wanted to do.

Commissioner Menendez: Correct. But in terms of timing, I think we all...

City Manager Iglesias: We will do our best to work...

Commissioner Menendez: Would love to see that.

City Manager Iglesias: With the -- yes, we will do our best to work with the DOT to get it done.

Commissioner Fors: And just point of clarification so it's very clear -- and thank you for bringing it up, Commissioner Menendez. If -- and I'm not going to presume how anybody's going to vote here on the motion I just put on the table, but it is first reading, right, so there is going to be a second reading?

City Attorney Ramos: Yes. If it passes today, it will come back on June 8 for second reading.

Commissioner Fors: Okay.

Commissioner Menendez: And we're not bound by our vote on the first reading. It's just...

City Attorney Ramos: The ordinance is not effective until second reading.

Commissioner Menendez: Second reading. So, we could have a totally different vote and there's time to gather even additional information and flesh out any concerns that are still out there. Got it. I'm ready to -- I'll make the -- I'll second the motion so we can get to the second reading, so my second.

Mayor Lago: Commissioner Anderson, you have any further comments or are we going to get a vote here?

Commissioner Anderson: I'm ready to vote. Just additional comments are I am taking in consideration the value of this parking as far as the additional consideration is concerned. I will also entertain additional comments from residents regarding valuation of the property that may exceed what this particular price is considering all the value of the 34 spaces, the charging stations

that are being provided, and the access to the parking spaces for the residents and the public. But I am ready to vote.

Mayor Lago: Okay. And if I may add one last thing on the record. I know that the highest appraisal we got was 3.525. I would request from the Manager that you ask the potential buyer to raise their offer to include that \$25,000.

City Manager Iglesias: We'll do that.

Commissioner Fors: That's a good idea.

Mayor Lago: And I ask...

Commissioner Fors: That's a great idea.

Mayor Lago: You to make it the maximum. It's \$25,000, and I think it's a good showing by the potential buyer. We're getting the maximum appraised value. That appraisal's two months old. That's not like it's a year old, and I want to put that on the record and be very clear that's important because certain residents who contacted me saying, you know, the appraisals are old. You know, we have a new appraisal. It's two months old and the price was 3.525, and I want to make sure that we get every dollar for this community.

City Attorney Ramos: So, Commissioner Fors, do you accept that friendly amendment and incorporate it in your motion?

Commissioner Fors: I also -- yeah, I definitely accept that. That was a great idea. And secondly, for the record, if anybody's out there listening who's willing to pay more than that and provide 34 parking spaces, you can find the City Manager's email on the website.

Commissioner Menendez: And I'll second the change in the motion.

Mayor Lago: Can we have a vote?

Commissioner Fors: Yes.

Commissioner Menendez: Yes.

Commissioner Anderson: Yes.

Mayor Lago: Yes.

(Vote: 4-0)

Asset Manager Sardinas: Thank you.

Mayor Lago: Alright, moving forward. Thank you.