

City of Coral Gables City Commission Meeting
Agenda Item I-1
July 7, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

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

Public Speaker(s)

Alexander Palenzuela, Special Counsel

Agenda Item I-1 [10:38:38 a.m.]

Status Update on Special Enforcement List for Abandoned Properties

Mayor Cason: Why don't you go into your Item I-1, which is the rundown of the abandoned properties?

City Attorney Leen: Why don't you get your list and I'll just introduce this. So, one thing that you are going to be seeing happen more often is, we are going to be bringing before you this list of abandoned properties to give you more frequent updates as to how our enforcement action is going, and also if we are going to use the Unsafe Structures Board, if we decide to use the forfeiture ordinance, if we decide to bring a lawsuit. You are going to get probably once a month, maybe once every two months an update of the list. We've had some inquiries from Commissioners as to what's happening with certain properties. So at this point Alex is going to, our Special Counsel, Alex Palenzuela, again is going to go through each of the properties and let

you know what the status is. You can ask him any questions, you as the Commission can give him any instructions as well.

Mr. Palenzuela: Would you like me to go down the list? OK. The first one is 109 Fro Avenue, that's a historic structure and the bank is preparing the permit application in that case. They are cooperative, but sometimes when they are cooperative it takes on if you go to court and get an injunction, but they are working on it, and are about to submit the application.

Commissioner Lago: How long have they been cooperating for?

Mr. Palenzuela: Originally with a lot of these you'll find that they corrected the simpler things more quickly like in this case, and then now they are at the point where they are applying for a roof permit and that requires a lot of signatures and so there is usually...

Commissioner Lago: Signatures from the bank?

Mr. Palenzuela: From the banks – right, because there is the ultimate investor, there is the servicer; the servicer is actually the one who usually steps in and does this. In this case, they had a real estate agent who is helping to fix the minor violations and then at that point that they needed a permit it went to the servicer and they are getting documents signed according to the attorney that I'm working with, who is helping to bring the property into compliance. Where there is compliance and cooperation then there is really no need to go forward and file a lawsuit, they are deemed cooperative. The next one is 134 Florida Avenue. In that case the City is waiting for a County grant that will fund the work to correct the violations. The next one is 624 Zamora, that one is in litigation. We obtained an agreed injunction and they have begun the work on the roof, but they didn't have the entire scope in the permit that they did pull, they are now applying for a painting permit and I asked their vendors to work directly with the Building Department to make sure that they pull whatever permits they need to, if they can and then the roof permit to include the other work related to the structure. So they are diligently working toward compliance. They obtained an extension to finish the work and to revise the permits. 815 Catalonia, that was is, the owner removed the tarp and is proceeding under the regular Building Code deadlines to renovate the home and it's moving toward compliance. 832 Wallace Street, that one the City is negotiating a fine reduction agreement with the owner our...actually the mortgagee, that's who is likely to become the owner soon because there is a foreclosure sale set for the 16th, and they've agreed as part of the fine reduction to bid their maximum judgment amount, so it's almost certain that they will become the owner and if so, they will continue to correct all the violations. 903 Granada Groves Court is the property I mentioned that is a complicated probate; the owner was in a complicated probate. The owner is cooperating and we are monitoring them for compliance.

Mayor Cason: A cracked walkway...

Mr. Palenzuela: That's one of the violations. There were a few and this one they immediately notified them, they immediately started correcting the violation, so that's why that one has not proceeded to the lawsuit of any others of the unsafe structures proceeding and the like, because they are working on it. 1009 Columbus Avenue that's the one that Mr. Leen mentioned where the City worked with the owner, the investor at the time and they demolished the structure, sodded it, and is maintaining it. Right now it's only still on the list, its indicating that it's in compliance....

City Attorney Leen: I'd like to say something. This is a property that the Commission was very concerned about and it was on Columbus, it had a hole in the roof, and really the Commission said, no more, because this has been a number of years that it's been in that sort of shape, and that's one of the houses that lead to this list, and it's one of the success stories and it was demolished and the lot's being maintained now. So I know you know this, but I thought it was worth it to say it on the record and that was the Commission spoke very strongly about that item.

Mr. Palenzuela: 1021 Wallace Street also is technically in compliance, but the City is negotiating a final reduction agreement with the current owner. 1044 Cotorro Avenue, this was a very high profile case with a historic structure. We were able to obtain an agreed injunction with the investor who acquired title in a foreclosure similar to that case I mentioned earlier, and they have diligently been working to bring it into compliance, however, because it's a historic structure they applied for an extension because they had to order casement windows from Italy to meet the specifications and so that created other delays where they can't finish all the work until the windows are put in. So...

City Attorney Leen: Could you talk about this property a little more. This is the property that was raised by the Mayor several years ago, and the entire Commission – this was just like the one on Columbus, this is one of the primary reasons we have this list. Could you talk a little bit about the way the house has looked and then what's being done, and how it will turn out, assuming the injunction is followed.

Mr. Palenzuela: It was a full violation problem for many years and there were multiple liens on it, but again, this was one it was a shell of a house. The had started to renovate as an investment and when the crisis hit they decided to stop putting money into it and the owners abandoned it, but the cost of completing the structure was significant and the banks weren't willing to come in and finish it. They were foreclosing and so we were able to negotiate and get an agreed order from the investor who came into purchase. Actually the bank in this case sent the servicer, I say

the bank, but it was their servicer had come to a Code Enforcement hearing and had agreed to comply, but then that never materialized so we had to file injunction action; and generally you get their attention, they find an investor, they sell property, they somehow get it off of their books if they don't want to put in the money, and in this case they sold the loan to a gentleman who then finished the foreclosure process. He took an assignment, we put them in touch with the former owners that I located as part of the litigation and they actually cooperated with the former owners, they signed a final reduction agreement, the City paid a substantial amount towards its liens as part of the entire process. And the next one is 1248 Serolla and that again was a Code Enforcement problem for a long time. This one had a roof that was caving in; the owner had gone through bankruptcy, he was still living in the house, but everyone who had seen it said it's really unlivable. I think there was mold inside. He eventually vacated in December before a foreclosure sale that was set for January 7th, but there was a problem with the foreclosure sale. The complainants across the street had moved to intervene and so the judge put a condition in his orders setting the sale that only he could change the sale date, because the sale had been cancelled twice. The judgment was entered back in 2012, but because of a bankruptcy and it's unclear why else, twice the sale had been cancelled, so the judge said no more cancellations unless I do it. The bank made a mistake put it on the wrong hearing agenda and so it was before the wrong judge, instead of letting it go forward anyway, they pulled it and so they had approval for a short sale and that was why they were trying to change the sale date one more time. In the meantime they failed to get it pulled, the sale happened, the auction happened, the buyer at the sale bid, I think it was about \$400,000, they had a short sale approval for a lot more like \$600-something, and so they tried to set aside the sale and of course the winner of the foreclosure auction challenged that and so when his motion to reinstate the sale was denied there was an appeal. The City intervened in the foreclosure; it became apparent that there were problems with the auction because it was clear based on the amount of money at stake that there was going to be further litigation. So I appeared before the court, I was allowed to intervene. We announced at that point that unless someone took responsibility the City would have to file an injunction action which it promptly did. Nevertheless the foreclosure was pending and basically the bank was maintaining this property and fixing the less expensive violations, but again they didn't want to put the money into this, as it turns out demolish the structure. They could have chosen to repair the roof, but everyone who looked at it believes its better off demolishing it in any event, because of the pressure the City kept bringing to bare they were able to reach a settlement without briefing and so it cut short the appeal process. They agreed to allow the foreclosure sale bidder to take title and that happened already, I was able to get the certificate of title before it made it to the public records and we sought an emergency hearing against the foreclosure sale auction winner and also as it happened they immediately entered into a contract to settle. So we amended the complaint, added the buyer under the contract who is working extremely diligently and I followed up this morning, they've already applied for a demolition permit, they are missing one document, they've tried to apply twice. They should have it by tomorrow, so hopefully by

tomorrow they will have pulled their demolition permit. The property – they should be closing on it, they are expecting the title commitment today, and hopefully they will be able to close before the end of the week. If they don't, we have an emergency hearing Monday morning, which was originally scheduled for two weeks earlier, but at the hearing he judge announced she had a conflict and recused herself, so we immediately got a new judge and a new date for another emergency hearing.

City Attorney Leen: And on the 14th the hearing is to appoint a receiver.

Mr. Palenzuela: To appoint a receiver because in that case we have obtained an injunction, the deadline past, and they were given 60 days because they came and appeared before the Code Enforcement Board and the Board gave them 60 days.

City Attorney Leen: What's going to happen is there is going to be either a demolition or there is going to be a receiver appointed and what's the receiver going to do?

Mr. Palenzuela: The receiver, his role is to correct the Code violations and one of the cases after this we actually have a receiver and I'll get into...

Commissioner Lago: Just a quick question. Did the judge give a reason behind her conflict, why she recused herself?

Mr. Palenzuela: No, she did not, and we did not ask because in the end the judge felt she had a conflict and she wouldn't even enter an agreed order that I proposed.

Commissioner Lago: It had been in her hands for how long?

Mr. Palenzuela: Actually this case had – it happened twice, and the first time we were at the hearing, the night before the foreclosure sale, the winner of the foreclosure sale auction had filed a motion for that judge to recuse herself and I was able to get the judge to ignore it because it didn't comply with the rules, we obtained the injunction, but she recused herself when they refiled the motion. So this case has actually been transferred twice because of conflicts with the judges.

City Attorney Leen: And one issue with recusals, the law is very favorable toward recusal and the judge – if you file a legally sufficient motion, even if it's not correct factually, the judge is required to recuse themselves.

Mr. Palenzuela: Right – and when a judge sua sponte on her own says in open court, I have a conflict, you really are not in a position to question the court, you can't talk her out of it. So basically our only option was to get another hearing date which we did as promptly as we could. We had a new judge the very next day.

City Attorney Leen: I would just ask that Alex give us an update next week as to what happens with this property and I'll forward it to all of you or I can send it to directly copying.

Mr. Palenzuela: The goal is that we will have a new buyer will be the new owner; we proposed an agreed injunction with them. Demolition is prompt and usually nothing can happen to slow it down, it's just a matter of getting all the approvals, hiring the vendor. So if they do obtain their permit tomorrow and acquire title sometime this week, the demolition could be done, passing final inspection. Depending on how quickly the City turns it around, which takes no more than ten business days, but we are going to expedite it as we do with all of these properties. It could be in a month; this property could pass final inspection.

Commissioner Keon: I'm having trouble following what happened here. It says on 3/16 there was an agreement with the lien reduction, whatever, and they closed on the property. Who closed on the property?

Mr. Palenzuela: In this case, there have been negotiations of a final reduction, but no final agreement. We are waiting to see what happens today and also how things develop before entering into a final reduction agreement with the buyer. The City obviously encourages a third party to come in and correct the violation so they are working with and they've agreed to pay all of the assessment needs which those are monies out of the City's pocket really, and then they've agreed to pay an amount toward the Code Enforcement fines as well, and they are being extremely diligent.

Commissioner Keon: In your narrative here it said the closing took place on 3/16/15...

Mr. Palenzuela: That may be for a different property. Are we talking about 1248 Serolla? Now the closing – technically if they get their title commitment today it could happen a day after that.

Commissioner Keon: I'm sorry.

City Attorney Leen: Just so you know. We generally try to require the payment of the assessment liens, special assessment liens, because its money the City has paid and we do have a right to that over the bank even, it's the same dignity as taxes. Code Enforcement liens, we will not allow Code Enforcement liens to block the ability for this to proceed. What we do is generally suspend

them; sometimes there is a small amount that's paid, although I talked to individual Commissioners and I'll say this on the record, we always need to work to make sure those do not prevent us from entering into an agreement.

Mr. Palenzuela: Right – and they have proposed an amount towards it.

Commissioner Keon: OK.

City Attorney Leen: So 1433?

Mr. Palenzuela: Right – so in that case either we'll have a new owner and an agreed order and a permit pulled and there will be prompt compliance or we have our hearing on Monday seeking an injunction against the new owner, who is now the foreclosure auction winner or his buyer. If the closing happens, because they have an equitable interest in the property once they sign the contract and we are also seeking the appointment of a receiver based on the fact that the first order was not complied with by the bank and we do actually have a settlement with the bank for sanctions. They are paying some of the City's costs and mitigating this matter.

City Attorney Leen: One thing Alex, if you could – if you go briefly through these just so it doesn't take too much time, but I know that the Commissioners want to know about 1549 San Rafael and I know that the Granada property as well. So, if you can go through each of these quickly, but focus on those two.

Mr. Palenzuela: Alright – 1433 Mendavia Avenue that one also the owner is working through his attorney to bring it into compliance, they had permits, and they are working to close those out. 3500 LeJeune Road – the City is at this point executing a fine reduction agreement and they have been working toward correcting the violations, they are cooperating. The same with 3933 Riviera Drive. 4600 Brooker Street was recently added to the list, it's in bankruptcy.

City Attorney Leen: One thing – I just want to note 3500 LeJeune, that was a house with a squatter and we did remove the squatter on June 24, 2014, just so you know, it's one of the instances where we used the squatter's ordinance.

Mr. Palenzuela: I spoke to the debtor in the bankruptcy and also the attorney for the servicer who may own the mortgage now, they will be talking so that hopefully the bank or Green Tree will take over correcting the violations. The debtor said he wanted to, but he's in Chapter 13 and I don't think he can finance the repairs and also the property is probably not worth trying to save because it's under water, so we are in negotiations, otherwise we will promptly move to get an injunction which will then allow the servicer by agreement, we can get that injunction, they've

indicated that they'll be willing to agree to it to correct the violations themselves. 5626 Granada Boulevard – this was another case that because of other litigation there was a need for us to obtain a receiver. Basically, after the City filed its injunction action, someone came forward and filed a quiet title action claiming that they were the true owner. So in order to not be bogged down in that litigation, the City did move forward with its injunction, obtained an order, a court order, not by agreement. When the deadline pasted the City file another motion, emergency motion to appoint a receiver and there were two appeals in that case that are still pending, but they are subject to a settlement. Its tentative until the receiver finishes his work; and he was recently appointed, he had to assess the property and then obtain the financing because since these are not income producing properties, he's got to find either the bank or if they are not willing, the mortgagee won't do it, he has to obtain third-party financing and that's what he's doing now to finish the house, and it's a substantial sum of money, but it's a very desirable property two-story house on a nice corner, so that will take time to finish the house but the process has already begun.

City Attorney Leen: Can you talk a little bit more about 1549 San Rafael? I think you might have missed it.

Mr. Palenzuela: Oh, I'm sorry.

City Attorney Leen: I know that Commissioner Keon had some questions.

Mr. Palenzuela: That one – the City entered into a fine reduction agreement that gave the owner twelve months to pass final inspection, he paid the assessment liens and the reduced Code Enforcement fines, at least what has been reported, but recently I think about two weeks ago we received complaints that work had not progressed, and I remember when I spoke to the owner, because I had the injunction action to file, he said that he would be diligent. So I called him, he didn't answer. I wrote a demand letter. He responded the next day and basically told me that they've been working toward applying – they are still in the pre-application process, but they are applying for the permits, but it's taking a long time. So I talked to him about demolishing instead and we obtained approval, it's not a historic structure so he is now applying for demolition permits so that property again should be in compliance in no more than two months, the time to apply for permits obtained and to pass final inspection.

Commissioner Keon: So they are going to demolish this property?

Mr. Palenzuela: Right – Um huh.

Commissioner Keon: And maintain it as an empty lot while they...?

Mr. Palenzuela: What happens is they sod the lot and they maintain it until they get approval for the new home they want to build there, which could happen probably, I'm not sure exactly how long it will take, but they are working – their architect is here, but he's in Chicago so they keep shipping the plans back and forth from what I've heard; and he does sound committed to bring this into compliance now quickly and then finishing the house as soon as they can.

Commissioner Keon: Well you know what I don't want – what I would not like to see is that they demolish the house and they put up a construction fence with that green whatever around it, and so it continues to be an eyesore in this property. So how do we prevent that?

Mr. Palenzuela: Like what happened in 1000....they put up the construction fence while they are doing the demolition, but in order to pass final inspection they have to sod the property and remove the fence.

Commissioner Keon: OK. So that's part of the agreement?

Mr. Palenzuela: That's standard procedure for a demolition permit, but remember once they finish the demolition and pass final inspection they are in compliance, they no longer in Code Enforcement then they can apply for their permits and do the construction under the standard deadlines and Building Code.

Commissioner Keon: But in the meantime, once the home is then demolished and they don't have any permits because they are in the application and design phase and whatever else...

Mr. Palenzuela: Right...

Commissioner Keon: Who ensures that that fence comes down and that lot is sodded?

Mr. Palenzuela: Well Code Enforcement and if necessary we file an injunction action. That was the subject of my demand letter, saying that we have this agreement, but the agreement provides that the City can take whatever enforcement action it needs to in order to enforce the Code in spite of the agreement. So, if for whatever reason the owner doesn't do what he promised to do, we can go to court and get title or injunction order or if he fails to comply with that a receiver.

Commissioner Keon: But in your letter to him or in the demand letter, that included in the demand letter that once the house is demolished that the fence comes down and they sod it?

Mr. Palenzuela: At the purpose of the demand letter was basically to put them on notice that we were going to pursue further enforcement action. It was afterwards when I spoke to him that I suggested that he switch the demolition if his intent was to demolish the structure anyway, so that he could come into compliance right away and in those conversations I made it clear to him. We can of course confirm it in writing. They should be applying for their permit as we speak. My understanding is that they've already...

Commissioner Lago: I don't think those procedures are currently in place. After a demolition occurs the next step would be obviously to build the site, but if they are in the process of obtaining construction documents and then going through the permitting process, it could take them a month or it could take them a year or year and-a-half depending on the level of the project. So again, if you are asking them to take down the sign, excuse me, take down the fence, the silk fence and then sod it if it was a pocket park, for example, I don't have an issue looking into that requirement. It's another standard which raises the bar in reference to beautification in the City, instead of having a silk fence stand up there for a year, two years.

Mr. Palenzuela: There is no fence there now because they haven't even got the permits yet; they have a tarp on the roof...

Commissioner Keon: I understand that you are going through the process now to either that they will demolish or we will take action and demolish.

Mr. Palenzuela: Right.

Commissioner Keon: What I want to make sure is, as long as they don't have the permits and they don't have a plan to begin to construct on that lot, that until they do that fence comes down and the lot is sodded.

Mr. Palenzuela: Right.

Commissioner Keon: How do we put that...?

City Attorney Leen: Does the Commission agree by unanimous consent, I assume you do...

Mayor Cason: Yes.

City Attorney Leen: OK. So you are going to tell him that the Commission has directed us that that's a condition that they have to do, but we are not going to close the case.

Mr. Palenzuela: I definitely will. But it's my understanding, like in the other case, that is how you pass final inspection on a demo permit is you have to sod and you have to remove the fence.

Commissioner Slesnick: And how long can you have a demolition permit open though?- that's the problem. If they demolish the house can be six months, if you still have the demolition permit?

Mr. Palenzuela: No because this property is already in Code Enforcement. Once it comes out of it then you are under the 180-day between approved inspection deadlines, but we would insist that they do this immediately, they've already indicated that they will, and if they don't the City is not required to wait 180 days between approved inspections.

City Attorney Leen: We are going to follow your instructions, so that's what we are going to do – they'll have to remove the fence and sod it.

Commissioner Keon: OK. But I would like in every one of these cases, every one of these cases when we demolish or they demolish unless they are ready to construct.

Commissioner Lago: You can potentially offer them a timeframe, a window to say within three months of starting construction you can keep up your silk fence, because when they commence construction, prior to commencing they are going to have to put up a fence. So if they can show that let's say, that they are in the City for permitting, maybe we don't force them to take down the fencing, it all depends. Again, what is your timeframe?

Mr. Palenzuela: I think if they have obtained the permits by the time they finish the demolish and they have open permits for construction and they can keep the fence up, but I doubt that will happen, the understanding is they have to take it down.

Commissioner Lago: I know you are probably well versed on this, so that every one of the Commissioner understand. The reason why people pull demolition permits is either for two reasons; number one, they have an issue with the City or unsafe structure and then it doesn't get resolved because we are being fined; or because they are trying to make up as much time as possible on a project and they have a bank loan on it. So what they do is, they don't wait for the construction documents to be completed. They start the demolition then they move into, like a phased permit, which would be a foundation permit and then they continue to do the construction. It's all about saving time which in turn saves money. So Commissioner Keon's statement is based on, what is the window of appropriate time to have this fence taken down and be put back up or not be taken down at all if they meet some sort of window that you are happy with. If they say to you, for example, the owner/developer of the piece of property says, our

plans have been submitted to the City for review, does that appease you?- or obviously we are trying to avoid something like what happened at Old Spanish Village for the last ten years. Not saying that's a pretty radical example, but again, that's an example of an area that's been blighted and has been fenced off for ten years. So what is the window of time that you want someone to have or what do they need to show you to make you happy in reference to leaving up the fence?

Commissioner Keon: I would leave that to maybe a discussion with the Building Department and Code Enforcement because sometimes it seems to take a very long time to get things done, so what is the point at which someone can move forward with construction?

City Attorney Leen: Well answer that, but before you do, I have your instruction. I understand the Commission's will here. It's helpful to us to have some general flexibility because what we'll do now is we'll go to the property and say, you need to either build this right away or you need to put in a pocket park, and if they don't agree to build then we will always going to make them put not a pocket park, but we are going to make them sod the lot and remove the fence; and if they are not going to do that they are going to have to do it under an agreement with us, basically a stipulation.

Commissioner Lago: Craig, instead of doing a case-by-case study, why not just do something that deals with all pieces of property that are currently abandoned or going to go through the demolition process and there are no future plans in reference to construction because the plans have been approved, they haven't been designed, whatever...

City Attorney Leen: It's hard to say, I mean you could do that and I'd like to know Special Counsel, I will say though the one reason I could think of is it is expensive sometimes to sod, particularly a large property and once they do that it may delay – doing that whole process may delay them building a structure. Whereas, telling them that they have to do that or they are going to have to start building may make them move faster, but to give you a specific date, I will...

Mr. Palenzuela: In this particular case, the owner did not object when I told him he would have to sod the property. I think we can handle that on a case-by-case basis with the Building Official's input as to how long he thinks that the government approvals will take. It's my understanding that if they are still in pre-application and this agreement was signed three or four months ago, that they are not ready to build, so this case will probably be resolved by them passing final inspection under the demo permit and then it comes out of Code Enforcement and they can take as long as they like to develop.

City Attorney Leen: You can give us a guideline though. What do you think is fair? It doesn't have to be a motion and a second, it could be a guideline, we could have some flexibility, but we could always tell them, look the Commission told us you need to be taking some action with the City on building this within this amount of time.

Mayor Cason: Expeditiously.

Commissioner Keon: Expeditiously. You know my concern also is that, sometimes I think you can have speculators that purchase these homes; they go in, they demolish it, they have an empty lot and they are selling it for land value. In that case, as soon as it's demolished, I'd like the fence out and I want it sodded. Until somebody has a permit in hand, you don't know what they are going to do.

Mr. Palenzuela: Exactly.

Commissioner Keon: So I guess I would probably like to see it done as part of the agreement. That the agreement is that you put up the fence, you do whatever, you demolish the house, as soon as its demolished you take it down and you sod that lot. Now in the event that they actually have permits or they have something, you can override that, the authority lies with the Manager and the City Attorney. You can make that decision. I'd rather see it them be forced to sod that lot as soon as they demolish.

City Attorney Leen: I got that. That's the general rule will require them to sod, as a general rule. However, if there want to build very soon and they are telling us that, I'll talk to the City Manager and we can enter into a stipulation whereby they agree to do it by a certain date, if they don't they get fined again and they then have to take it down by agreement, something like that.

Commissioner Keon: OK.

Mayor Cason: Alright. Thank you.

Mr. Palenzuela: Thank you. And just to respond to that, it is technically in the agreement because the only way they can pass final inspection is by doing whatever the City requires regarding the fences.

City Attorney Leen: One other thing. Alex just to conclude, the Commission and I know the Manager has asked us to start looking at these properties to see if they can be properties that we can purchase as well. So one thing we are going to be looking at when you give us a property to put on the list, on your list, the Commission's list, we are going to take a look at the property too,

to see based on the liens that exist, the special assessment liens, whether it might be worthwhile to try to either foreclose or to purchase the property in some way. So we are going to make that recommendation to the Manager and then that could either be, depending on how large it is, it could be brought to you or the Manager has authority too.

City Manager Swanson-Rivenbark: And our interest in doing that is because of the impact that these properties have been having on the neighborhoods and combined with our-your desire to purchase more land, as one of your high priorities, if we can satisfy the parks and recreation and other community needs as a part of that acquisition. I think it might be the fastest way of really bringing some relief to the neighborhood itself, and clearly it would be at your direction.

Mayor Cason: OK. Thank you.

Commissioner Lago: Thank you sir.

[End: 11:11:55 a.m.]