

City of Coral Gables City Commission Meeting
Agenda Item 2-1
March 8, 2022
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

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Public Speaker(s)

Frank Maderal, Property Advisory Board Member

Agenda Item 2-1 [Start: 3:48 p.m.]

A Resolution of the Property Advisory Board requesting that the City Commission direct City staff to place a standing item on the Property Advisory Board's meeting agenda that includes and provides any unsolicited bid(s) received by the City.

Mayor Lago: We have item 2-1, I'd like to take on, next please.

City Attorney Ramos: 2-1 is A Resolution of the Property Advisory Board requesting that the City Commission direct City staff to place a standing item on the Property Advisory Board's meeting agenda that includes and provides any unsolicited bid(s) received by the City.

Mayor Lago: Mr. Manager, anybody in regard to the Property Advisory Board we have here who would like to speak.

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City Attorney Ramos: It's a resolution of the board itself. I don't know if someone's here to present it.

Mayor Lago: My understanding is I think there is somebody from the board that's on Zoom maybe potentially, anybody.

City Manager Iglesias: My understanding, Mayor, that we're going to present.

Mayor Lago: Okay.

Vice Mayor Mena: Billy, Frank Maderal from the board is on and he's trying to speak.

Mayor Lago: Okay. Thank you, Vice Mayor, I appreciate that. Comes in right there.

Vice Mayor Mena: In case you thought I wasn't paying attention. I'm paying attention.

Mayor Lago: No doubt. We know you're there.

Mr. Maderal: I'm here. Thank you. But I can't start my video.

Mayor Lago: Hey Mr. Maderal, how are you sir?

Mr. Maderal: Good. How are you?

Mayor Lago: Good. The floor is yours. Thank you for being here.

Mr. Maderal: Thank you so much. It's been an honor to listen to you all today. Much of what you've said is music to my ears. I am honored to be a member of the Property Advisory Board. The Commission may or may not know this, but its actually the oldest board, the first board that the Commission ever created; and I think a lot of what you all have discussed today relate to the sovereign gems that are real property owned by the city, which is our charge. And our role is to provide advice to the City Manager staff and City Commission regarding most properties, and its our honor to do so. I think Commissioner Menendez said today, you know not all of these assets are supposed to be turned into gold, and I think he hit it right on the mark. Not all of these assets are commercial storefronts. Some of these which you discussed today are very important assets – Granada, Country Club, the Biltmore, Burger Bob's, and so, they are very important, and I think, Mr. Mayor, you hit the nail on the head. Its important the city has a layer of control and retains its sovereignty over these assets. I think one of the roles of the Property Advisory Board is to just be another set of eyes directly by the citizens who provide expertise and advice. I think another important thing that happened earlier this year, as you all are aware. There is a number of, I think Mr. Mayor, you called them fearmongering, misinformation, conspiracy campaigns surrounding a lot of what was going on with city-owned property and it appeared to the board that a lot of it surrounded unsolicited bids, which are public records, but which were running under the radar, by no fault of anyone, simply they hadn't been requested. So, at the time that they became public, it

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just added fuel to this conspiratorial fire that there were secret backroom deals and secret favors being made. And it seemed like it was really harming what the staff was trying to do. It was harming in some cases maybe what developers were trying to do. It was creating stress and it seemed easily solvable. So, what our board did in early fall is, we placed an item on the agenda and that item just said staff, please let us know any unsolicited bids that have come in since our last meeting. We are very careful. We don't want to create any work for the staff. We don't want to create any extra effort that they need to do. We know they're busy, simply tell us what the bid was, maybe give us a copy of it, and we'll just have it as a standing item on the agenda. Nobody can ever say that you didn't tell anyone. Nobody can ever say that it wasn't made public, it's a public record. It seemed very non-controversial. This lasted for several months. We got several answers back over the course of our meetings that there had been no unsolicited bids. Our meeting in February came and apparently there had been an unsolicited bid, but what we were told at that time from the City Attorney's office is that the standing item was no longer valid. And after a little bit of an awkward back and forth, we were told we would have to formerly do a public records request. Eventually, we were told about the bid at that meeting. But in any event, respecting the City Attorney's staff opinion, we asked for resolution, the board, and said okay, well if we have to ask the board said to put this public record on our agenda, let's have it published at our meeting, then that's what we'll do. And we are here today, and this is that resolution. Again, we think this is transparency. We think this will ultimately help staff. It will ultimately increase trust in government. It will ultimately help protect our assets. We are not trying to create any work for the staff. All they need to do is say, we received unsolicited bid, here it is, it's a public record anyway, presumably any of us could ask for it. And so, that's what this resolution is designed to do. I do have one tiny formality. I do want to thank; I thank the City Attorney for putting together the text of the resolution. The board did not. The City Attorney put together the text of the resolution and I read it, and I think its correct in the spirit. It is slightly drafted; one could read it to think that the mere act of putting something on our agenda, we need board approval for, which we don't. I think it's the substance of this particular agenda item that the City Attorney's office thought needed board approval. So, I just have that small caveat, that I'll put out there. That's what this resolution is, and I thank you all for your time.

Mayor Lago: Thank you very much. Mr. Manager, just a few points that I was listening to this gentleman who took his time to listen all day to the Commission meeting, and he wanted to give us his insight in regard to what he believed could potentially make the process more transparent and just better on all fronts. One of the points that I was considering in my head was, the Manager cannot formally start negotiations with any entity that submits an unsolicited offer without the approval of the Commission.

City Manager Iglesias: We have never done that Mayor. We have never started negotiations with anyone without seeking first the authorization by the City Commission.

Mayor Lago: How many unsolicited deals have we been offered; would you say in the last year or two years?

City Manager Iglesias: Not a lot. But if we get something that is really out there.

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Mayor Lago: Like demolishing City Hall.

City Manager Iglesias: Demolishing City Hall, we just say, thank you very much – thank you, but no thank you, and that would be it. If we do get something such as what happened in Coral Gables Country Club that we never negotiated with that proposer. We were coming to the Commission for you all to authorize me to negotiate with them. Biltmore also – parking, we come to the Commission first and then we start negotiations to get your feedback and to get your authorization to do so. And then after we have those negotiations, then we would go to the different boards. I know that, for instance, excuse me, for real estate, we'll go to the Economic Development Board, we would go to the Property Advisory Board, and we would go to the Budget and Audit Board, and then come to the Commission with that deal. But first having the Commission authorize us to actually start negotiations. So, the Commission allows us to, authorizes us to start negotiations. After negotiations have taken place, we would go to all the three boards and then come to the City Commission. But we would certainly bring something up such as parking, etc., to get what the Commission wishes from that perspective, and then we can come back. But we would not come back with anything without the Parking Advisory Board, without the Property Advisory Board, or any other board that we have to go through before coming to the City Commission. What we would do is simply, those deals, as you mentioned Mayor, we want to demolish City Hall, this is not even a consideration at that point.

Mayor Lago: Mr. Vice Mayor, is there anything you would like to say in regard to this issue, because I know you brought it to our attention.

Vice Mayor Mena: My point here and I had a long conversation with staff yesterday is simply that, what they're asking for is effectively a public record anyways, and all they're really asking is, hey look, when we have our meetings, let us know if any unsolicited bids have come in. Whether or not, staff is prepared to act on such a bid or has any further intel on that bid, is a second issue. They may not be prepared to do so, but I don't see it as a big deal for them to just want to know that. By the way, we received another unsolicited bid which came to light at the Property Board's last meeting on a development project in north Gables. I don't recall the exact address, but again, I think this is really in the spirit of transparency. I don't think staff needs to feel like the process is being circumvented or changing, they would still have to go through the process you just discussed, if they are going to bring something to us. These folks are just asking to be made aware of when an unsolicited bid comes in. That's it. That's my understanding.

Mayor Lago: So, let's do this Vice Mayor. Why don't you work on with the City Manager, on maybe some sort of mechanism or legislation that you feel you and the Manager can come to an agreement on. I've done this before when I lowered the amount of monies that the City Manager at that time, not the current City Manager, could wield and use without the Commission's approval, and I was able to get the Commission's support on that. I don't see any issues moving forward, as long as you and the Manager can come to some sort of agreement on a mechanism that again, is in the spirit of transparency and pushes these things to light.

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City Manager Iglesias: Mayor, I think the only issue – what I’m concerned about is having multiple negotiations at once, that’s not conducive to negotiating something. So as long as we’re clear and its something that, yes, we did discuss with the Vice Mayor, but we don’t want multiple negotiations taking place at different entities. So as long as that is clear, I think we can certainly, transparency is not an issue. As you know Mayor, I provide you with every contract signed, every contract. If its \$500, it doesn’t matter.

Mayor Lago: Everything. Every single week you provide that. You provide a list from your staff in regard to every contract that’s being considered, everything that’s coming before the Commission. That is not even up for debate. I just want to make sure the Vice Mayor feels comfortable and that we are listening to his proposal in regard to his appointee, to the Property Advisory Board. So, I ask you, Mr. Vice Mayor, if you could, sit down with staff and the Manager and hammer something out and bring it to the Commission. Is that okay?

Vice Mayor Mena: Yes sure, that’s fine. Look again, I think what’s being requested is pretty straightforward. Again, they could just make a public records request and get this information anyways. I just don’t know why we are going to make them go through, jump through that hoop every month, instead of just letting them know at their meeting. If you read the description of the Property Advisory Board’s role, its to advise not only Commission, but the City Manager and staff on any items relating to city property. If you really want me to play devil’s advocate, there could be a deal that comes to the Manager’s office and the Manager’s office in all good faith and in exercising his good judgement feels he does not want to pursue, but maybe the Property Advisory Board disagrees. Maybe they think it is something that we should consider and then maybe it comes to us that way. I don’t think that’s a horrible thing.

Mayor Lago: I don’t have an issue.

Vice Mayor Mena: This is all speculation right now. The only thing they are saying is, if there’s a bid that came in, could you let us know at our standing meeting, that’s it.

Mayor Lago: So, would you prefer to draft up some piece of legislation, similar to what you see on the agenda where I drafted up a piece of legislation that requires all lobbyists that are registered for items to be shown on the agenda, something similar to that. Would you like to work on that, or would you like for us to consider what’s being proffered right now by the Property Advisory Board and bring it up for a vote?

Vice Mayor Mena: I guess the question is, does anybody have a problem with what’s on the agenda today? If they do, I’m happy to rework it into something that everybody is comfortable with.

Commissioner Anderson: [Inaudible – off mic]...resolution accurately, they just want to be put on notice and then later on when staff is ready to do a presentation on it, they can hear the full set of facts – the appraisals, whatever else needs to go with the package for their consideration to make a recommendation.

Vice Mayor Mena: That's my understanding as well.

Commissioner Anderson: Okay.

City Attorney Ramos: Vice Mayor, we don't need an ordinance to do that. We can draft a resolution for your consideration and bring it back at the next meeting.

Vice Mayor Mena: Okay. Sounds good.

Mayor Lago: Just want to make sure that everyone is on the same page. That's fine Vice Mayor, you're good with that?

Vice Mayor Mena: That's fine by me and I'll, I don't know if the City Attorney's office wants to run it by their board or I can run it by their board, however you want to do it, but we'll talk about that offline.

City Attorney Ramos: Okay.

City Manager Iglesias: And Mayor, with that understanding, I will be happy to advise the Property Advisory Board on every one of those, every one of those unsolicited proposals, with the understanding as Commissioner Anderson mentioned that we would be advising them and then bring back the proposal after the Commission agrees to allow us, authorizes us to negotiate and then we will bring back that proposal to the Property Advisory Board.

Mayor Lago: Okay. Perfect. Thank you very much.