

Re: From Miami Herald - Is Coral Gables going to lose its beloved German beer hall? Here's what we know

Fernandez, Ariel <afernandez3@coralgables.com>

Fri 12/15/2023 11:33 AM

To: Iglesias, Peter <piglesias@coralgables.com>

Not sure I understand what was derogatory about the email? This is a black eye due to the lack of public information. I am not happy with the handling of this. I will not be told how to do my job by you. This is the first time I see this letter. We have had numerous conversations since that time. Why didn't you bring it up? We need to get this right.

Ariel

Ariel Fernandez

Commissioner

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From: Iglesias, Peter <piglesias@coralgables.com>
Sent: Friday, December 15, 2023 10:34:47 AM
To: Fernandez, Ariel <afernandez3@coralgables.com>; Sardinias, Zeida <zsardinias@coralgables.com>
Cc: Urquia, Billy <burquia@coralgables.com>
Subject: RE: From Miami Herald - Is Coral Gables going to lose its beloved German beer hall? Here's what we know

Commissioner,

Again, you sent a derogatory, inaccurate, and uninformed email. I suggest you read your emails.

Attached is the email and letter that was sent on my behalf by the City Attorney on September 28, 2023, to you and the rest of the Commission concerning our actions with Fritz & Franz Bierhaus.

Acting as a fiduciary for all our residents is never a "black eye" for our City, I will never succumb to special interests.

Regards,



Peter J. Iglesias, P.E.
 City Manager
City of Coral Gables
 405 Biltmore Way, Coral Gables, FL 33134
 T: 305-460-5202
www.CoralGables.com

From: Fernandez, Ariel <afernandez3@coralgables.com>
Sent: Thursday, December 14, 2023 6:39 PM
To: Iglesias, Peter <piglesias@coralgables.com>; Sardinias, Zeida <zsardinias@coralgables.com>
Cc: Urquia, Billy <burquia@coralgables.com>
Subject: Fwd: From Miami Herald - Is Coral Gables going to lose its beloved German beer hall? Here's what we know

Again, another example of how the Commission is left in the dark. You, Mr. Manager, had a duty to inform us. This is another black eye on the City. We need a solution and quick.


I want copies of all communications with the operators and all internal communications on this matter. I would also like a timeline of the entire history of this contract.

Thanks.

Ariel

Ariel Fernandez

Commissioner

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From: Diane Wells <dianewells@icloud.com>
 Sent: Thursday, December 14, 2023 7:06:50 AM
 To: Fernandez, Ariel <afernandez3@coralgables.com>
 Subject: From Miami Herald - Is Coral Gables going to lose its beloved German beer hall? Here's what we know

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It says the City made the decision months ago to look for the highest bidder. Sounds like the Country Club all over again with the City wanting someone else to pay for capital improvements to its own building. Or City has failed to maintain its own property and now says the tenant has to do it. Fritz & Franz is a wonderful anchor tenant. How is the City Manager making these material decisions without the Commission? Why is his singular goal more money vs community diversity and vibrancy? Fritz & Franz fills the garage and streets with cars, people and good fun!!! Please intercede now! The Commission should decide vision of how to keep our City beautiful for the residents - all residents. We do not need another fancy restaurant. There is so much dark space on the Mile. Michele Bernstein is two years into a City lease and the space is still dark. Also why can't Fritz & Franz have the outdoor festivals? They are terrific and were missed this year! Fritz & Franz needs to stay. It's a great anchor tenant!

Thank you,
 Diane Wells

I saw this Miami Herald article on the Miami Herald app and thought you'd be interested.

Is Coral Gables going to lose its beloved German beer hall? Here's what we know

https://urldefense.com/v3/_https://www.miamiherald.com/miami-com/restaurants/article283004363.html?deviceId=24352636-FDAE-4A2D-B677-D2FA67CB5F34&tempKey=value_!lJhOVvL9eZPMoIA5IEfrWewjoPdI9Xz9kRPVaf2MtB93mKjKzDQ8gAgYdulvsT-tAarxUAqIOOmV6tMtDLktzUUCalCgrQQrAeAS

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Diane Noller Wells
 Office: 305-444-6695

RE: Fritz & Franz Update

Iglesias, Peter <piglesias@coralgables.com>

Tue 1/30/2024 4:48 PM

To: Fernandez, Ariel <afernandez3@coralgables.com>; Commissioners <Commissioners1@coralgables.com>

Cc: Suarez, Cristina <csuarez@coralgables.com>; Sardinias, Zeida <zsardinias@coralgables.com>; Urquia, Billy <burquia@coralgables.com>;

Iglesias, Peter <piglesias@coralgables.com>

Commissioner Fernandez,

As I mentioned before, we are currently negotiating the lease extension with Fritz & Franz properly and rationally as directed by the City Commission. We are acting appropriately as fiduciaries for the city, as I believe this is the intent of the Commission.

The Fritz & Franz lease is a triple net contract that requires the Tenant to pay for rent, taxes, and maintenance. We are inspecting the restaurant to properly establish the condition and the maintenance requirements that are the current responsibilities of the Tenant. This is completely different to any Tenant Improvement work that will be proposed by Fritz & Franz in an effort to extend their lease.

Unfortunately, your continued demands on our incredible staff significantly affect morale.

Please work with me to make our great city even better.

Sincerely,

Peter J. Iglesias, P.E.
City Manager

From: Fernandez, Ariel <afernandez3@coralgables.com>

Sent: Monday, January 29, 2024 5:30 PM

To: Iglesias, Peter <piglesias@coralgables.com>; Commissioners <Commissioners1@coralgables.com>

Cc: Suarez, Cristina <csuarez@coralgables.com>; Sardinias, Zeida <zsardinias@coralgables.com>

Subject: Re: Fritz & Franz Update

How often do we check with the DBPR for issues with our tenants?

Please provide me with all DBPR violations/status report for all our current tenants.

Thanks.

Ariel

Ariel Fernandez

Commissioner

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From: Iglesias, Peter <piglesias@coralgables.com>
Sent: Monday, January 29, 2024 5:19:14 PM
To: Fernandez, Ariel <afernandez3@coralgables.com>; Commissioners <Commissioners1@coralgables.com>
Cc: Suarez, Cristina <csuarez@coralgables.com>; Sardinias, Zeida <zsardinias@coralgables.com>
Subject: RE: Fritz & Franz Update

Commissioner,

We are following the direction of the City Commission. A meeting between the Tenant's representatives and ACM Parjus, City Attorney Suarez, and Asset Manager Sardinias has been scheduled for January 31st where the city will review the Tenant's proposal for a potential Lease extension.

On August 3rd, we were not aware of the violations since the DBPR inspection took place November 15th. The Tenant has communicated that they are working towards clearing the violations.

Sincerely,

Peter J. Iglesias, P.E.
City Manager

From: Fernandez, Ariel <afernandez3@coralgables.com>
Sent: Monday, January 29, 2024 4:44 PM
To: Sardinias, Zeida <zsardinias@coralgables.com>; Iglesias, Peter <piglesias@coralgables.com>
Cc: Suarez, Cristina <csuarez@coralgables.com>
Subject: Re: Fritz & Franz Update

Where is the Manager? Nowhere in this email is he mentioned. Why?

If there were concerns, why did the Manager not address these prior to offering an opportunity to renew on August 3rd?

Now, given a directive by the Commission the Manager said on the record he was not going to do, new excuses are being made for not following the will of the Commission.

Is this directive being taken seriously?

Ariel

Ariel Fernandez

Commissioner

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From: Sardinas, Zeida <zsardinas@coralgables.com>
Sent: Monday, January 29, 2024 3:30:05 PM
To: Lago, Vince <vlago@coralgables.com>; Anderson, Rhonda <randerson@coralgables.com>; Menendez, Kirk <kmenendez@coralgables.com>; Fernandez, Ariel <afernandez3@coralgables.com>; Castro, Melissa <mcastro@coralgables.com>
Cc: Iglesias, Peter <piglesias@coralgables.com>; Parjus, Alberto <aparjus@coralgables.com>; Suarez, Cristina <csuarez@coralgables.com>
Subject: Fritz & Franz Update

Good afternoon, Mayor, and Commissioners:

Our office received a request to provide an update regarding what transpired last week, following the City Commission (CC) January 23 meeting regarding Fritz and Franz (the "Tenant"). As such, please see below:

- On January 24, our office scheduled a meeting between the Tenant's representatives and ACM Parjus, City Attorney Suarez, and Asset Manager Sardinas for January 31.
- On January 25, the City sent an email to the Tenant requesting that by January 30, it provide the city with a proposal that includes the requested/proposed Lease Term, the Base Rent and Tenant Improvements (TI) amounts, and the timeline for TI completion. However, the email also specified that any proposed TI amount cannot include any amounts needed to address the maintenance deficiencies required by the Lease including any of the existing damaged, end-of -life equipment noted in the TrueView inspection. Lastly, the City's negotiations with the Tenant will not include any of the Outdoor Event items requested in the Tenant's January 18 document (changing name of the Plaza, holding unlimited special events without fees and police requirements, and not adhering to the City's noise ordinance) as these are not up for negotiation with the City.
- Also on January 25, in order to verify the Tenant's assertion during the January 23 CC meeting that the restaurant did not have any Health Department violations, the City researched Florida Department of Professional Regulation (DBPR) records. The city found that an inspection conducted on November 15, 2023, by the DBPR at the Tenant's restaurant cited the following outstanding violations of Florida's sanitation and safety laws, which are based on the standards of U.S. Food and Drug Administration's Food Code:

Violation **Observation**

12B-02-4	Basic - Employee eating in a food preparation or other restricted area. Observed employee eating at prep area in the cook line.
08B-38-4	Basic - Food stored on floor. Observed at walk in cooler several boxes with potato's stored on floor.
21-04-4	Basic - In-use wet wiping cloth/towel used under cutting board.
36-27-5	Basic - Wall soiled with accumulated grease, food debris, and/or dust. Prep area in the kitchen.
50-17-3	High Priority - Operating with an expired Division of Hotels and Restaurants license.
11-27-4	Intermediate - Establishment has no written procedures for employees to follow in response to a vomiting or diarrheal event where the vomit or diarrhea is discharged onto surfaces in the establishment.
53A-03-7	Intermediate - Food manager certification expired. A list of accredited food manager certification examination providers can be found at http://www.myfloridalicense.com/DBPR/hotels-restaurants/food-lodging/food-manager/
22-02-4	Intermediate - Food-contact surface soiled with food debris, mold-like substance or slime. Observed Slicer and cutting boards soiled. Kitchen. **Repeat Violation**
53B-01-5	Intermediate - No proof of required state approved employee training provided for any employees. To order approved program food safety material, call DBPR contracted provider: Florida Restaurant and Lodging Association (SafeStaff) 866-372-7233.
11-26-1	Intermediate - No proof provided that food employees are informed of their responsibility to report to the person in charge information about their health and activities related to foodborne illnesses.
27-09-4	Intermediate - No running water at three-compartment sink. Observed three compartment sink/ hand sink at bar without hot water.

Please feel free to click on the active links above to the DBPR website where the history of the violations cited by the DBPR at the Tenant's restaurant is available for review.

- Also on January 25, the city sent an email to the Tenant regarding the DBPR cited violations.
- On January 25 and 26, the Tenant's response asserted that it had:
 1. Renewed their Division of Hotels and Restaurants license on November 22nd, 2023.
 2. Fritz and Franz Assistant Manager Jazmine Robles obtained the Food Protection Manager Certification on January 10th, 2024.
 3. Chef Cesar Ramirez, James Neuweg and Harald Neuweg were scheduling courses to obtain licensing.
 4. Written procedures for employees to follow have been posted.
 5. There was hot and running water at the three-compartment sink at the bar.

It is important to note that based on the DBPR's records, the Tenant operated the restaurant without a valid Division of Hotels and Restaurants license between 1/01/23-11/22/23. Also, the Tenant's personnel did not have food manager certifications until January 2024, and since more than one certified food manager is required for the restaurant, the Tenant still has not provided the city with evidence that it is compliant with this requirement.

- On January 26, the Tenant reached out to City Attorney Suarez requesting a conference call. That same afternoon, City Attorney Suarez spoke with the Tenant's attorney Pedro Villa.
- On January 29, in order to verify the Tenant's assertion during the January 23 CC meeting that the restaurant did not have any Code violations, Asset Manager Sardinias, and City Development Services and Public Works General Services personnel inspected the Fritz and Franz space. Inspection findings will be provided to ACM Parjus prior to the scheduled January 31st meeting.
- Also on January 29, the city contacted the appraisers who conducted their Tenant site visit on January 24, and are working on the appraisal reports that they will be submitting to the city by early next week.

Thank you so much and please let us know if there is anything else that we can do to assist you.

Kind regards,

Zeida C. Sardinias

Asset Manager
City Manager's Office
405 Biltmore Way
Coral Gables, FL 33134
Office: (305) 460-5314 direct dial
Mobile: (305) 733-0325
zsardinias@coralgables.com
CoralGables.com



Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

Insubordination

Fernandez, Ariel <afernandez3@coralgables.com>

Fri 6/30/2023 10:02 PM

To:Iglesias, Peter <piglesias@coralgables.com>;Elejabarrieta, Raquel <relejabarrieta@coralgables.com>;Hudak, Edward <ehudak@coralgables.com>

Folks, I made a request in my meeting with the three of you, which you completely disregarded. Not just disregarded, but did the total opposite. This is insubordination and it will not be tolerated.

My request was simple and clear, I asked for good faith to be shown in an attempt to improve morale in the Police Department. The three of you agreed to do so and subsequently went behind my back and did the total opposite by retaliating against officers who have opted to leave the Department. This is unacceptable. Retaliation by this City will not continue to happen while I am around.

I had been warned by former Commissioners about this administration purposely disregarding Commission requests. Guess what folks, it's a new day in Coral Gables and this will no longer be tolerated. If you don't like that things will be working differently, no problem, find another employer that is willing to tolerate insubordination and go.

Fix this and fix it now!

Mr. Manager, I expect an update by 9AM informing me that it has been fixed. I don't want to hear from any of you until it has been addressed.

Ariel

Ariel Fernandez

Commissioner



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