

**City of Coral Gables City Commission Meeting**  
**Agenda Item I-6**  
**April 12, 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)**

**Victor De Yurre**

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Agenda Item I-6 are related [3:05 p.m.]

A Resolution of the City Commission finding that there have been significant changes in circumstances and amending Resolution No. 2019-96 to eliminate the City's deadline to break ground on a Mobility Hub to replace Municipal Parking Garage 1, to remove the previously-provided direction to the City Manager and City Attorney to negotiate with Coral Gables City Center, LLC, and amending the start date for CGCC's one-time right of first refusal, for a period not to exceed 25 years, to purchase the site where Municipal Parking Garage 4 is located.

Mayor Lago: Moving on to I-6.

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City Commission Meeting

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Agenda Item I-6 - Resolution of the City Commission finding that there have been significant changes in circumstances and amending Resolution No. 2019-96 to eliminate the City's deadline to break ground on Mobility Hub to replace Municipal Parking Garage 1, to remove the previously-provided direction to the City Manager and City Attorney to negotiate with Coral Gables City Center, LLC, and amending the start date for CGCC's one-time right of first refusal, for a period not to exceed 25 years, to purchase the site where Municipal Parking Garage 4 is located.

City Attorney Ramos: I-6 is a resolution of the City Commission finding that there have been significant changes in circumstances and amending Resolution No. 2019-96 to eliminate the City's deadline to break ground on the mobility hub to replace Municipal Parking Garage 1, to remove the previously-provided direction to the City Manager and City Attorney to negotiate with Coral Gables City Center, LLC, and amending the start date for Coral Gables City Center LLC's one-time of first refusal, for a period not to exceed 25 years, to purchase the site where Municipal Parking Garage 4 is located.

Mayor Lago: Mr. Manager.

City Manager Iglesias: Yes, Mayor and Commissioners. This -- we had partially this discussion on the -- on I-5. But right now, it is -- for us to start September 30th, we'd have to bid this project right now. And this is not the time to bid. Prices are -- the inflation rate means nothing right now. The prices are completely speculative. We are ready to go. We can pull the foundation package and start next week if we have to. We can get a foundation permit and start in a month, in six weeks. So, can we start the project? Yes. Will you plan on having the drawings completely done and the permitting process by September? It's just not in the best interest of the City to start this project now. We also had the issue of federal funding. If we start the project now, we are not capable of getting any federal funding because we have not gone through federal procurement. You cannot take a project, start it on -- and then go back and try to make it federally procured. It doesn't work. We've been told clearly by the state that that's not a viable option. So, I do not think that September 30th, although we are ready, we are ready to go, that that is in the best interest of our City to start this project at this time. And not only are we starting with incredible prices, which is which really have no bearing on the inflation rate, but we're also eliminating ourselves from the potential of federal procurement.

City Attorney Ramos: So, I just want to be clear, Mayor. As you will see in the resolution, and we discussed it in the pre-agenda meetings, there's various pages of whereas clauses explaining the changes in circumstances that have occurred from the time that this was approved, or the decision made by the Commission to today. So, aside from the issues of meeting the deadline that the Manager just spoke about, as you know, this evolved from being just a parking garage to a mobility hub. The City Commission has weighed in and made it clear that a mobility hub is more what the Commission would like to do for a number of reasons, including adaptive reuse and all the different bells and whistles that this design offers the City that the regular parking garage does not. And for that reason, this resolution does not just eliminate the deadline or move the deadline, but rather eliminates it entirely. It also removes the previous authority given to the City Manager and City Attorney to negotiate with the proposer should the City not move forward. In other words, the Commission's making a commitment to move forward at the time when it determines it's in the best interest of the City. And lastly, you are restarting the right of first refusal that was given by the Commission to the proposer back in 2019, so that they have additional -- they have 25 years from today versus 25 years from 2019.

Mayor Lago: Okay.

City Manager Iglesias: Had we started the project, Mayor, they would have had 25 years from 2019. And again, I -- we don't start the project if this project -- if we didn't have these issues that we have now, this project would be starting. We're not starting the project because of all the issues I said. It's certainly just not in the best interest of our City to start it now.

Mayor Lago: Thank you, Mr. Manager. Mr. Clerk, do we have any public comment?

City Clerk Urquia: We do, sir. Mr. Anthony De Yurre.

Mayor Lago: Mr. De Yurre, good afternoon. The floor is yours.

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Agenda Item I-6 - Resolution of the City Commission finding that there have been significant changes in circumstances and amending Resolution No. 2019-96 to eliminate the City's deadline to break ground on Mobility Hub to replace Municipal Parking Garage 1, to remove the previously-provided direction to the City Manager and City Attorney to negotiate with Coral Gables City Center, LLC, and amending the start date for CGCC's one-time right of first refusal, for a period not to exceed 25 years, to purchase the site where Municipal Parking Garage 4 is located.

Anthony De Yurre: Thank you very much. Anthony De Yurre, at 1450 Brickell Avenue. It's interesting I find myself here before you all today because yesterday I had a discussion, if you recall, the -- I represented the Coral Gables City Center Group that proposed the RF -- that responded to the proposal for the RFP. And after many years of work together, we came to the resolution that we're attempting to amend and deal with today. But it's interesting that I had a conversation with them today about it because of the fact that this timing was coming up and would the City meet the deadline or not. And the discussion was, well, you know, we're not here to force the City to shelve this project for decades. It's been 20 something years in the making. We're experts in development. There has to be an opportunity here for us to sit down as the resolution refers to in good faith and try to see if we can help the City if they've reached a conclusion that what exists on the table is not acceptable to them. And that's the spirit that I come with you today. The resolution has currently approved the business terms of our deal. And if the City did not break ground in time, they were to good faith -- in good faith proceed with Coral Gables City Center with the terms of -- approved vis-à-vis that resolution -- and again, that resolution was a result of a lot of work from some of the members on this board, the City Manager, the City Attorney, and it was very particularly written because there are progeny of AGO opinions and case law that we want to avoid being problematic. We don't want to be here -- of course, we don't want this to be rewritten and our rights diminished. You know, we don't -- that's not what anyone would prefer. But in this particular instance, I come to you again with a spirit of sitting down with the City and whether it's at least one meeting to formally hash out what we can accomplish for them because the agenda was published. I will say I read it. I-4 was on there on the encroachment. I-5 was on there with the change order. And this item was added -- it wasn't illegal the way it was added, but they're just -- creates a little glitch there in the notice that you don't get it recirculated to you. And so, I come to today on very short notice to hopefully allow for that opportunity. There are no exigent circumstances I'm aware of. We can do this at the next meeting. And I just think that I would hope that the City after this amount of time and the sense of good faith can sit down with

us to see if there's an opportunity for us to assist you in accomplishing your goals because our goals, I think, are very much aligned.

Mayor Lago: Mr. Manager.

City Manager Iglesias: Mayor, to say that we've had unusual circumstances in the last few years, we've gone through a pandemic. We've built through a pandemic. We've designed through a pandemic, and now we've gone through -- that we haven't had in 100 years.

Mayor Lago: We have the highest inflation as of today of 8.5 in the last 40 years, since 1981. It's the highest inflation as of today.

City Manager Iglesias: And because of all these issues, yes, we've had the highest inflation since the last 40, 42 years. So, this is simply -- it's not that we can't. It's that we don't want to start because it's not in the best interest of our citizens, of our residents to start now. And I think we've had unprecedented problems in the last three years since this document was actually agreed to. And throughout all those problems, we're still ready. We can still start. We just choose not to because it's not in the best interest of our City, and that's the only reason that we're not starting, not because we can't.

Mayor Lago: Have you had conversations with the individuals?

City Manager Iglesias: I've had -- yes, I had breakfast with Mr. Morris, and I advised him of what we were doing, and that we were simply not starting simply -- again, not because we can't. We have a foundation. We have a demolition plan that we can pull permits next week, so it's not that we cannot start the project. It's that we choose not to simply because of everything that has happened in the past.

Mayor Lago: And not only that, I think that we have to also be very clear and put it on the record that, you know, we're not starting not because we can't -- we can. But it's going to cost the City significant money.

City Manager Iglesias: Yes, it is.

Mayor Lago: As a result of taking that parking structure offline, potentially a year or a year and half prior to us actually commencing on the project just to say that we started, and that would hurt the City financial significantly. I think it's close to -- the Finance Director can provide more clarity, but I think it was close to like \$2 million a year -- right? -- that the (INAUDIBLE) -- how much is that...?

City Manager Iglesias: It's a million and a half a year. It's a million and a half dollars a year.

Mayor Lago: A million and a half dollars a year, excuse me.

City Manager Iglesias: And to demolish -- which we can -- which would be the start of that project...

Mayor Lago: Yes.

City Manager Iglesias: To demolish parking Garage 1 right now makes no sense with these construction costs.

Mayor Lago: We'll lose \$1.5 million...

City Manager Iglesias: Remember...

Mayor Lago: And we will spend an exorbitant amount of money in construction, so it's a double loss for the City...

City Manager Iglesias: It's a double loss.

Mayor Lago: Just to meet what's required as per that legislation.

City Manager Iglesias: And we had a resolution that authorized the demolition if you recall, and we have not gone that route simply because exactly what you're saying, Mayor, about 1.5 million a year. And over a two- or three-year period, it's four and a half million in addition to the cost -- in addition to our problems, it's going to cost the downtown area. We currently have 282 cars in that garage. We will be going to 626, but those 282 cars are really -- why should we remove that now for a really -- for a date that really is not appropriate because of everything that has occurred in the past two years, even though we are ready.

City Attorney Ramos: Mayor, if I may make...

Mayor Lago: Yes.

City Attorney Ramos: A couple of points.

Mayor Lago: Please.

City Attorney Ramos: So, one, I want to make clear that there were not specific terms approved in that 2019 resolution. The City Manager and City Attorney were given the authority, if certain things occurred, to negotiate a development agreement. That was never done. Mr. De Yurre spoke about rights. There are no rights here, and every procurement that the City puts out, and we, in fact, checked the 20 -- the initial RFP documents that went out many years before this came to the

City Commission, and the City retained its right there, as it does always, to at any time change its mind, throw everything out, and start over. We reasserted that in the 2019 resolution. The agenda, as I explained to Mr. De Yurre earlier, publishes -- has to publish on Thursday afternoon. We used to always just publish on Thursday afternoon. The Commission went to the idea of publishing on Tuesday to give the people a little bit more time, and then we republish on Thursday. But the legal date to republish is Thursday, and the City Clerk has assured me that this item was on by the Thursday publishing date. And lastly, as I explained, the standard here is that the Commission's not acting in an arbitrary and capricious fashion. And as the whereas clauses bear out, there have been significant changes in circumstances and very valid reasons for the Commission to change course here.

Mayor Lago: Any further comment from the Commission? Any other questions?

Mr. De Yurre: I would just -- for the record, I don't want to get into a debate with your prestigious City Attorney here. But you know, one of the reasons why we were so careful in this resolution is because whenever you do an RFP that deals with real estate and property, you end up as the proprietary. You also end up as the regulator, and you know, there is AGO opinion 734 -- 78-43 of their Sears versus City of Palm Beach, where instances of resolutions rewriting and diminishing interests became problematic. And so, I'm -- you know, that -- I'm not -- that's not the spirit of what I'm here for. I'm just -- my background knowledge of dealing with this area of law, really, it's about the context of that resolution, which was if the City didn't break ground by that date, then in good faith, they would proceed with us under the terms of that resolution. If the City feels like the terms of that resolution are not applicable, I still think that the concept of good faith still applies, and that there are no exigent circumstances in this instance to at least meet with us to have the discussion where we can provide the City a potential alternative that is acceptable to you. That is really what we can hopefully arrive at, and it's really no difference to you at the end of the day with this resolution, except to have that good faith meeting with our client. And I will say that the Manager, as he noted, did have breakfast with Mr. Morris. I believe it was a week ago, Tuesday.



And as a result of that meeting, I have, as I noted, had conversations with my client, which is the Related Group and the Allen Morris Company. And their hope was to, both of them, meet with the City again in that vein of good faith. I checked the agenda...

Mayor Lago: So, can I ask you a question?

Mr. De Yurre: Yes.

Mayor Lago: May I just ask you a question since you bring that up?

Mr. De Yurre: Yes, Mr. Mayor.

Mayor Lago: So, the Manager brings up the fact that he met with Mr. Morris, he had a conversation. He chartered the course that we were moving forward, correct?

City Manager Iglesias: Yes, Mayor.

Mayor Lago: Our position. He was very clear what we're facing as a city.

Mr. De Yurre: Absolutely.

Mayor Lago: I don't have a problem. I'm more than willing to meet multiple times with somebody even though, again, we are under the gun -- I hate to use that example. But you want to meet again to have the same conversation? If that's what you want, I don't have a problem with that. But if we -- eventually, we have to deal with this. We've got to make a decision. I'm not demolishing that building to cost the City \$1.5 million in revenue a year. Because right now, this building is not -- we can construct it, but we're going to pay an exorbitant amount of money. I mean, construction has gone up 30, 40 percent in the last six months. Eventually, this has to stabilize.

Right now is not the appropriate time to build this building, just like right now wasn't the appropriate time -- in my opinion -- to spend \$160 million on the bonds for parks. So, you want another meeting to have the -- to have a -- is there something that wasn't outlined in the meeting with the Manager and Mr. Morris? Just kind of want to understand what are we trying to achieve by this other meeting.

Mr. De Yurre: Yes. There -- I would tell you that I wasn't a part of that meeting. And you know, we have two significant partners in this deal. As a result of that meeting I will tell you, you know, hey, you give us a heads up this is going to come on an agenda. I checked the agenda because I'm on the email for it. It was not on that agenda. I would have had to gone on after the fact to check the agenda for the City because it was added after the email was circulated that's notice that was provided to us and as the City Attorney noted was added to provide the requisite amount of notice. I had the conversation with the client. I said it's not on the agenda. I got the email for the agenda. It's not on there, but it's coming down the pike, so let's sit down with the Manager. Let's sit down with their staff with the two partners, bring the construction team and see if we can arrive at a place that can be beneficial for the City and beneficial to us. If we can't, your position is very clear, and you can take that position any time you want at the next meeting. But I would just here embark on those words of good faith to hopefully accomplish that. And if the City can't arrive at a place that's substantially satisfactory to them, then you'll take the action that you want to take at the next meeting.

Mayor Lago: Madam City Attorney, can you respond on the record, and Mr. Clerk, in regards to notice, in regards to the agenda for today's Commission meeting?

City Manager Iglesias: And Mr. Mayor, I was very clear that this was going to be on this Commission meeting.

City Attorney Ramos: Yes, Mayor. And I also need to make another point not to feud with my colleague, Mr. De Yurre. So, AGO 78-43 dealt with the City Commission trying to unilaterally change the terms of a franchise agreement.

Mr. De Yurre: With FP&L, correct.

City Attorney Ramos: That is significantly different than this case where there is no agreement. There are no terms that were agreed to, as I stated previously. With regard to notice, as I mentioned, the Commission agenda must publish by Thursday afternoon for a Tuesday meeting. This goes in the vein of no good deed goes unpunished. The Commission, at some point, decided that they wanted the Clerk to start publishing on Tuesdays to give people more notice. That doesn't mean that that's the required date. It simply means that that's what we do to give people more notice.

Vice Mayor Mena: How does that -- but how does that blast? You said you got an email. Is there like...?

Mr. De Yurre: Yeah.

City Attorney Ramos: I don't know. How does that go out?

City Clerk Urquia: Yeah, so on Tuesday afternoon when we published the agenda, we send everyone who is subscribed to the agenda group an email saying...

Vice Mayor Mena: But you don't send it again when it republishes?

City Clerk Urquia: We don't. We only send...

Vice Mayor Mena: We should change that.

City Attorney Ramos: We should probably change it.

Vice Mayor Mena: To be honest with you.

Mayor Lago: Commissioner Mean, wasn't that your legislation?

Vice Mayor Mena: I don't know.

Mayor Lago: Somebody -- who's the one that wrote...?

Vice Mayor Mena: Don't blame me.

Mayor Lago: Somebody pushed that early notice for publish.

City Clerk Urquia: I know Vice Mayor Mena wanted to start receiving the agenda a little bit earlier so that we could start...

Vice Mayor Mena: Yeah.

City Clerk Urquia: At staff...

Vice Mayor Mena: Which is fine. I have no problem with that. But if you're going to republish a different agenda, I think you either need to re-send...

City Clerk Urquia: It's still the same link, the same...

City Manager Iglesias: For the record...

City Clerk Urquia: The same link...

City Manager Iglesias: Vice Mayor...

City Clerk Urquia: Continues to be active throughout.

City Manager Iglesias: (INAUDIBLE) on Tuesday and I...

Vice Mayor Mena: No, no, no. But forget about this meeting and this situation. As a matter of doing business, either the thing that goes out Tuesday should say draft -- if it's a draft -- or we should resend it. But I can...

City Attorney Ramos: A refresher email on Thursday.

Vice Mayor Mena: I can't understand why if you get an agenda sent to you on Tuesday and you don't see something on there, setting aside whether who knew what here, that's -- we should probably do something about that. So, that's a topic...

Commissioner Anderson: Mayor...

Vice Mayor Mena: For another day. But let's make a note of that, Billy...

City Clerk Urquia: Absolutely.

Vice Mayor Mena: And we'll figure that out.

Commissioner Anderson: Commissioner Anderson: Maybe next agenda we can take care of that.

Vice Mayor Mena: Yeah, exactly.

Commissioner Fors: Mr. De Yurre...

Mr. De Yurre: Yes, Commissioner.

Commissioner Fors: Is there any reason why we can't have this meeting that you want to have between City staff or Administration and the principles of the organizations you represent after we take this vote?

Mr. De Yurre: I think that it's a very subjective question, but a good one that you asked. And I would just say that I think to have a good faith discussion prior instead of after the fact would be much more in line with the spirit of that document.

City Attorney Ramos: So, Commissioner, as you know, any Commissioner who votes in favor of a resolution can bring it back at the next meeting for reconsideration. So, certainly -- look, one way to proceed is to defer this to the next meeting. There's nothing wrong with that. The other way to proceed is to go ahead and move forward with your vote, and if there's a meeting that happens and minds are changed, one of you that voted in favor can move to reconsider.

City Manager Iglesias: And by the way, this is a substantially different project than the -- than what was discussed at that time. What we discussed at that time was basically a typical parking garage, a cheap parking garage. By cheap, I don't mean cheap. I mean standard parking garage, not really a mobility hub. And -- but it was a standard parking garage. It was not an expensive structure, similar to the one that we're building, maybe slightly better than the one that we're building next to the police station. This is a totally -- this is a separate concept. This is the new

mobility hub concept, and that was basically a regular parking garage with some maybe Mediterranean flavor, like you see across the street from the current mobility hub -- from the proposed garage -- from the current garage, excuse me.

Commissioner Fors: I understand. And you know, I think the spirit of the initial resolution -- even though I didn't vote on it; I wasn't on the Commission yet -- was that this opportunity would arise, it would be contemplated again. If the City dragged its feet and really didn't act -- put its money where its mouth is and design and get ready to shovel ready, I think the City did do that here. We just have these external factors which put us in a position, which I don't think anybody wants to see, not even your clients, which is the City moving forward just for the sake of moving forward and spending a lot more money as a result. You know, I think it would be a different conversation. I encourage further collaboration between the City, and Mr. Morris, and Related. I would most certainly defer the issue to allow for that meeting if the City Manager hadn't met with Allen Morris. I think we have -- it's something that's for sure I can say. But seeing as that he met with him already and it's been discussed, and you know, there's no reason why we can't continue to discuss despite this vote, I almost just don't want to keep on kicking it around over and over again, not having this looming over everybody's head and just talk about what the future is going to look like for that project, whether it be with any involvement from Allen Morris or not.

Mr. De Yurre: Yeah.

City Manager Iglesias: And Commissioner Fors, we've always been upfront. When we started the mobility hub, I met with Mr. Morris and said we're starting the project. I also met with him again to say we can't build right now, so we've been upfront since the very beginning on this project because I feel that's how we should work and that's how we work. So, we've been upfront on everything. So, we just -- and it's not -- and as you mentioned, it's not that we cannot build it. It's that we just should not do it at this time.

Commissioner Anderson: Right. And you know, I've met with Allen Morris on other occasions, and he certainly is sensitive to the residents of this community because he is a resident of this community. And you know, I'm of the opinion we should move forward now so all the residents have a clear picture of what, you know financial burden that we're not going to be placing on them because the rumors about this, the amount of cost has created some anxiety in the rest of the residents, and I don't think that's something that we want, or I don't think it's anything that Allen Morris wants. And we can revisit it if there's another option available at that time.

Mayor Lago: Anything else?

Mr. De Yurre: I just...

Vice Mayor Mena: Look, I don't...

Mr. De Yurre: Want to say thank you. I say thank you. I say thank you to the Manager. I -- he pointed out that -- appropriately -- the project has changed significantly, and I just -- and I appreciate that he had breakfast with one of the partners, but this is a significant project that we -- is incredibly important for the City of Coral Gables. And again, if not breaking ground, to good faith proceed with Coral Gables City Center. That's the language that I think I look to. And if the City decides to make changes, make changes, but I would put before the Commission and to meet with somebody in good faith would be prior to them reaching the conclusion.

Commissioner Fors: If there's...

Mr. De Yurre: Thank you.

Vice Mayor Mena: A decision on what?



Mr. De Yurre: The conclusion on changing the resolution and this particular instance. And it won't -- it's the smallest of accommodations for -- that will have no detrimental effect on the City being able to do this later on, except for us to sit down and talk about the changes that occurred. And I'm respectfully requesting...

Mayor Lago: I don't have a problem giving you that time, but I'm just saying, what's going to be different than what the Manager already went through with Mr. Morris?

Mr. De Yurre: Well...

Vice Mayor Mena: I second that. What -- I mean, it's a fair point. But what I would say is your client wants to talk to the Manager about possibly resuscitating the possibility of Coral Gables City Center doing the project or some sort of P3, have that conversation, you know. And I don't mind us directing the Manager to sit with your client and have a conversation, but we can do that regardless of this.

Mr. De Yurre: I don't disagree with you. Really, it's a subjective issue of what's good faith in this document and then...

Unidentified Speaker: Sorry.

Mayor Lago: Bless you.

Mr. De Yurre: Bless you.

Commissioner Anderson: Bless you.

Mr. De Yurre: There is -- the topic of good faith is an amorphous one. It's like trying to grab sand. But I would tell you that before they have this changed out from under them is probably a better time to see if we can play a role here with the City. And you guys can do ultimately on this, you know, again, deferring to your City Attorney. Whether you take this decision today or at the next meeting, it's not going to change -- you're predisposed to do that. But a breakfast meeting led me to check the agenda that I received. It wasn't on there. I've had discussions -- in fact, today was the most recent discussion with both clients that there's this -- there -- that we should take the opportunity now. The Manager gave us the courtesy of telling us this thing was going to get put on the agenda to see if there's something we can do in good faith to work with him because they're not going to meet the deadline. And that's it. I don't want to belabor the point. I appreciate the consideration.

Mayor Lago: What is the will of Commission?

Commissioner Fors: I think I'm -- look, if it's true there's no harm, no foul deferring it, I'm -- I don't really care about deferring it to the next meeting. What I'm actually hesitant to do or what I don't want to do is direct the City Manager to meet with anybody in particular, have any particular meeting. I'd defer it. I suppose it's no skin off anybody's nose, but I'd leave it entirely within the City Manager's discretion. If he feels like any further meetings would be a waste of time, or if he feels like he doesn't need to meet with anybody again, then that's his call. But he already had the meeting, none of us were there. We know exactly what was said. And it was a courtesy meeting to advise on what the City's position was. And I'd just, you know, leave it to his discretion. I don't want to force him to meet with anybody again to drag this on any further if it's really, we're just going to end up in the same space as the Mayor's implying -- in the same place, which is that we could break ground right now, but it'd be, you know, frankly, silly to do so. And that for all intents and purposes, we have checked all the boxes of what we needed to do and we're just choosing not to -- not to commence now for the better -- or for the greater good of the City and its financial interests. So, I mean, that's where I'm at.

Mayor Lago: No, I mean, listen, I'm ready to move forward. I'm ready to take a vote. But again, I've made these accommodations before for somebody, and I don't have a problem making it for Mr. De Yurre at all.

Mr. De Yurre: I am a resident if I need to put my resident hat on.

Mayor Lago: Are you currently a resident for in perpetuity, or are you just bouncing in and out again? I'm all in favor. What do you want to do? Commissioner, Vice Mayor?

Commissioner Fors: I mean, City Manager, do you feel like --? You know, you already had the...

City Manager Iglesias: This resolution has had...

Commissioner Fors: You already had the complete discussion you needed to have?

City Manager Iglesias: This resolution does not -- if the Commission wishes, this resolution does not prevent me from discussing the actual project, but I do think that we need to have some finality in here concerning September 30th, and I think it's important just to take care of that issue and then we can move forward.

Commissioner Fors: I'm prepared to move forward on it then.

Commissioner Anderson: I'm prepared to move forward as well.

Mayor Lago: One last question. Madam City Attorney.

City Attorney Ramos: Yes, sir.

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Mayor Lago: Obviously, I know you don't have a crystal ball. Do you foresee any possible legal exposure in regards to this issue?

City Attorney Ramos: We have evaluated it thoroughly, sir. We don't see a viable claim. Certainly, anyone can bring any claim, we all know that.

Mayor Lago: Of course.

City Attorney Ramos: But we don't see any viable claim here. There are no rights afforded to the applicant.

Mayor Lago: Commissioner Menendez, anything else?

Commissioner Menendez: I personally actually would, you know -- unless the Manager feels strongly that there's no reason to have another meeting with the individuals that we're talking about, I encourage them to have a, you know, follow-up meeting to see what else can be explored or opportunities that present themselves for the benefit of the City, obviously. But I'm with all of you, and I think the City Attorney made it clear if we need to bring it back after further information or a follow-up meeting, then we have the authority and the flexibility to do that. But I'm okay if the Manager is for him to have follow-up discussions, you know.

City Attorney Ramos: So, there's two ways that could happen. The Manager could bring it to you at any point because there's changes in circumstances. Or alternatively, at the next meeting, any of you can reconsider. That's always true if you vote in favor.

Commissioner Menendez: So, I'm comfortable with...

City Manager Iglesias: I do believe...

Commissioner Menendez: My colleagues to vote.

City Manager Iglesias: I do believe, Commissioner, if there's anything that -- and I'll be happy to meet with them. But I think that we need to take care of the September 30 problem now and I'll be happy to meet with them. And if there's something viable, then I can certainly bring it back.

Commissioner Menendez: So, I think we have -- at least the impression I get that we're ready to vote. Something changes, we can already reconsider, but to please, you know, at least from my perspective, proceed to have -- yet another meeting with them to see what other -- what else can we figure out.

City Manager Iglesias: I think -- but this provides clarity...

Commissioner Menendez: Yes.

City Manager Iglesias: That this project is not moving forward. Just we are looking at...

Vice Mayor Mena: Right.

City Manager Iglesias: This is not in the City's best interest, and we need to look at federal procurement and many other issues. So, but clearly, we're not starting because we choose not to, not because we can't.

Mayor Lago: Okay, so I need a motion or a directive.

Commissioner Anderson: I'll move it.

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City Commission Meeting

April 12, 2022

Agenda Item I-6 - Resolution of the City Commission finding that there have been significant changes in circumstances and amending Resolution No. 2019-96 to eliminate the City's deadline to break ground on Mobility Hub to replace Municipal Parking Garage 1, to remove the previously-provided direction to the City Manager and City Attorney to negotiate with Coral Gables City Center, LLC, and amending the start date for CGCC's one-time right of first refusal, for a period not to exceed 25 years, to purchase the site where Municipal Parking Garage 4 is located.

Commissioner Menendez: I'll second.

Commissioner Menendez: Yes.

Commissioner Anderson: Yes.

Commissioner Fors: Yes.

Vice Mayor Mena: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Vice Mayor Mena: And I -- listen, so hopefully, if your client's tuning in -- if not, you could show them the video -- and I hope they don't think we're -- nobody's trying to operate in bad faith. I think everybody -- I think there's a difference of opinion, clearly, between you and our City Attorney on the issue of that deadline and what the import of it is. And we have to rely on her opinion, and we do. But my opinion is if there's a conversation to be had on something that's mutually beneficial, I'm always going to be open to that in any context and with any party, I think, as are my colleagues. Have the meeting. He thought -- to be fair, I understand the issue of the agenda. We thought we had that meeting last week, at least the Manager did.

Mr. De Yurre: Thank you much.

Vice Mayor Mena: Alright.

Mayor Lago: Thank you, Mr. De Yurre.

City Manager Iglesias: But Vice Mayor, I'm happy to have any meeting that's beneficial to our City.

Vice Mayor Mena: Sure, please.

Mayor Lago: Well, I welcome it.

Vice Mayor Mena: Coordinate with Mr. De Yurre.

DRAFT