

CORAL GABLES PROPERTY ADVISORY BOARD
Minutes of April 23, 2008
Youth Center – Conference Room
405 University Drive, Coral Gables, Florida

MEMBERS:

	D	J	F₂	F₁	M	A	M	J	J	A	S	O	N	
Anthony Perea	-	P	E	P		E		P	-	P	P	E	-	Mayor Donald D. Slesnick, II
Jeffrey M. Flanagan	-	E	P	P	-	P	P	P	-	E	P	P	-	Commissioner Maria Anderson
Gustave (Gus) Perez	-	P	P	P	-	E	P	P	-	P	P	P	-	Vice-Mayor William H. Kerdyk, Jr.
Martha Pozo-Diaz	-	P	P	E	-	E	P	P	-	P	P	P	-	Commissioner Rafael "Ralph" Cabrera, Jr.
Luis M. Padron	-	P	E	E	-	P	P	P	-	E	P	E	-	Commissioner Wayne "Chip" Withers
Edmund J. Mazzei	-	P	P	P	-	P	P	P	-	P	E	P	-	City Manager David Brown
Mary Ann Degan	-	E	P	E	-	P	P	P	-	P	E	P	-	City Commission

STAFF:

R. Alberto Delgado, P.E., Public Works Department
Lorena Garrido, Public Works Department

A = Absent
P = Present
E = Excused

GUESTS:

RECORDING SECRETARY: Idalina Barreiro, Public Works Department

CALL TO ORDER:

In the absence of the Chair the meeting was called to order by Mr. Mazzei at 8:50 a.m.

ROLL CALL:

Ms. Barreiro called the roll and members confirmed attendance.

MEETING ABSENCE:

Mr. Perea, Ms. Pozo-Diaz and Mr. Perez had formally asked to be excused.

MINUTES OF THE FEBRUARY 20, 2008 MEETING:

The February 28, 2008 meeting minutes were previously approved by members.

SECRETARY'S REPORT:

• **Schedule of Outstanding Rent – Finance Department**

Mr. Delgado presented the Schedule of Outstanding Rent Report from the Finance Department for review, comments or questions of the Board.

The Secretary noted that the Country Club of Coral Gables is still twenty months behind and added that the City Manager is going to present a report before the Commission meeting on April 29 about the existing situation with this facility, at which time Mr. Brown will probably submit some recommendations.

M. Mazzei commented that “Jewels of the Mile” is behind since October 2007 to April 2008 and has a balance of \$16,828.00.

Mr. Delgado explained that the City is trying to negotiate a new lease with them, but, even though this issue is in the agenda, the Board will not be able to discuss this item today due to a discrepancy in rent. The City plans to charge a \$2,500.00 rent, but the owner is offering \$1,900.00.

Members and the Secretary were involved in a long discussion about this matter.

Mr. Mazzei expressed that, for his knowledge and experience in commercial Real Estate business, you do not negotiate a lease renewal with somebody who is in default with their lease. He added that, number one, the tenant must bring the rent up-to-date and then the City can negotiate what is reasonable for the tenant and in the best interest of the City.

Mr. Flanagan and the rest of the Board agreed.

After a long discussion among the Members, Mr. Mazzei motioned that the Board recommends to the City Attorney that they proceed with collection and take whatever action under the lease is acceptable, to collect the money or deal with the situation, but at this point there should not be negotiations with a tenant that is several months behind on the payment of the rent. Mr. Flanagan seconded the motion and it passed unanimously.

CITY COMMISSION BOARD RELATED ITEMS UPDATE:

Mr. Delgado said there was nothing new to report.

He added that the Commission made emphasis again on board's member absences. Three unexcused absences and the member automatically has to leave the board, they should have acceptable excuses, he added.

The Secretary informed the Members that as far as the Procurement Code issue is concerned, it will be presented to the Commission for review and approval in May.

OLD BUSINESS

- **Driver's License Offices' lease, located at 4520 Ponce de Leon Boulevard, Coral Gables, Florida**

The Secretary informed the Members that the Driver's License Offices lease is not due until next year. He also noted that the State is coming back to the City in order to renew the lease and they are asking this time for a lot of improvements from the City.

Mr. Delgado informed that Mr. Ray Vorsteg, Public Works Facilities Analyst, spoke with Mr. Bryan Bradner, the person who represents the State, about the petition and that Mr. Bradner stated that it has been over 15 years since the Driver's License Bureau has been renovated, and that they are looking for the City to provide them with new modular furniture, paint the building and a few other changes and improvements. He also said that the cost of the improvements can be built into the forthcoming 7 years lease term pricing.

Mr. Vorsteg also requested from him a detailed list of the improvements that they need and a cost estimate that could be presented to the Property Advisory Board Members. Mr. Vorsteg confirmed that regarding the sq. ft. (they requested 3,713 sq. ft. in their RFP and the current space is 3,355 sq. ft.) he responded that they could be flexible regarding this issue.

Mr. Delgado said that the parking is an issue because they are requesting fifty (50) parking spaces (actually ten (10) spaces and the City can not provide more spaces. Also he said that it depends on how much money is needed for the improvements because maybe the City is not willing to spend a large amount of money in that building.

Finally, the Secretary noted that at this point this item will be deferred to the next meeting, so the Board did not have to take any action. The next step is to prepare and estimate of all the requested improvements and bring it to the Board for study and review for the next meeting.

NEW BUSINESS:

- **Cristina Santos Jewelry, L.L.C. lease, located at 286 Miracle Mile, Coral Gables, Florida**

This item was already discussed during the Secretary's Report.

- **Custom Built Designs, Inc., a Florida Corporation d/b/a/ Stanleigh's lease, located at 290 Miracle Mile, Coral Gables, Florida**

The members had reviewed the Custom Built Designs, Inc. lease and they found that it has to be revised.

Ms. Degan emphasized that the people who wrote the lease obviously did not do a good job in the best interest of the City, and they need to be notified that the lease is inaccurate, the language is not inclusive, does not cover some areas of liability and none to indemnify the City. They have to go over the document. The lease is completely unacceptable, she added.

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Continued

Mr. Mazzei requested that the minutes must show that it is the opinion and recommendation of this Board that the City needs to appoint a counsel qualified Real Estate professional to review the leases that the City has and make sure that they are current as far as documentation and in the best interest of the City.

OPEN DISCUSSION:

Ms. Degan expressed her concern about how members' communication must be addressed. After a brief discussion they agreed that any member's communication needs to be forwarded to the Secretary's office who will forward it, if necessary, to all members of the Board.

ADJOURNMENT:

Mr. Mazzei motioned to adjourn the meeting. Mr. Flanagan seconded the motion. The meeting was adjourned at 9:50 a.m.