

City of Coral Gables City Commission Meeting
Agenda Item H-2
May 12, 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
Cultural Development Director, Cindy Birdsill

Public Speaker(s)

Barry Abrahamson, City Consultant

Time Certain: Agenda Item H-2 [10:45:21 a.m.]

A Resolution authorizing issuance of an amended Request for Proposal for the City owned Garages 1 and 4 on Andalusia Avenue.

Mayor Cason: The next Time Certain Item is H-2. A Resolution authorizing issuance of an amended Request for Proposal for the City owned Garages 1 and 4 on Andalusia Avenue – City Manager.

City Manager Swanson-Rivenbark: And Mr. Mayor you'll recall several months ago the discussion on the parking garage RFP's on Andalusia, the one across from Publix and the one next to Miracle Theater. You asked staff to go back and look at revising it to help open up competition and opportunity on the sites and staff is here to give you an update on that RFP process.

Ms. Birdsill: Mayor and Commissioners we have Barry Abrahamson here today. He is the consultant that's been helping us put together the RFP. So he is here to answer any questions. Why don't I quickly go through the summary of the changes that we are proposing? The original RFP that was issued is still active and alive and anybody can propose under that, those are still legitimate proposals, but we now have two additional options that we would like to make available. One would be for one developer to propose for both the garages, but to put 500 public parking spaces in each garage, instead of loading more parking on the Garage 1 site. A second option would be for a developer to just propose on one site with 500 public parking spaces, so we could have two different developers proposing. Under the new proposed options, we would only suggest a land lease, not a possible sale. Again, we would want Garage 1 to go first, if possible, but we are open to a discussion of staging, and we do expect that the public parking would come online for one of the sites first before we would take out the other sites. So we don't ever want to be in a situation where all the parking is taken out at the same time. We would suggest that we eliminate the requirement for the first floor space to have a clear height of 20 to 22 feet, suitable for a cinema that is adding over \$800,000 of extra cost to build the garage, but we do think that we should retain the idea that the first floor of Garage 1 should be fitted out with the venting and the upgrade straps for a full service restaurant. We are open to discussing City use on Garage 1's first floor, or possible offices above, we are leaving that open for a discussion as we go through the RFP process. We are requiring for any proposal, even under the original option that the developer of the Garage 4 site needs to find a mid-block paseo to Miracle Mile. We believe that this is something that is achievable if you take one of the store fronts, you can turn it into stores that face the paseo and still have a very viable income producing property. We are requiring car charging stations in both garages now. We didn't call that out specifically before, but we definitely want electric car charging stations, in addition to the bicycle parking, and we've also added into the scoring criteria that the panel should consider the green initiatives that are proposed beyond what we are requiring. We would like to give extra weight to people who think in a sustainable way. We are also open to a discussion as to whether the developer would operate the public parking. If it's a residential property, it's likely that the developer would like to also control the public parking so that they control the safety of the entire facility. And we are also open to talking about how the City would participate in revenue sharing and it may be that we share some of the parking revenue to do that. We've made it clear that the City is not intending to provide any capital gap subsidy or financing for the project, and we've retained the idea that in Phase 2 we are going to have very comprehensive standards for design that are maximizing user comfort and convenience and safety, as well as state-of-the-art systems like the electronic system that tells you where there are vacant spaces. And we've also retained a requirement that a design could be proposed that would go over all of our portion of Actor's Playhouse, but that would have to go to the Historic Preservation Board and would also have to comply with the existing actors agreement that allows them to have third floor fly space. So those are the proposed changes. I think what we are asking you to do is if you agree with these to

let us know and give us direction that we can issue an addendum, and then we would reset the schedule for the RFP and I know Barry has been working on the idea of when the schedule would shift to. Do you have any questions?

Commissioner Lago: Cindy, thank you first off. I think you covered from sustainability to the potential of going over the Actor's Playhouse, which were concerns of mine, in reference to if we could make it possibly an option for the interested parties to explore that. My next question is real simple, what are we looking at in regards to scheduling for delivery of the RFP?

Ms. Birdsill: I'll have Barry talk about that.

Mr. Abrahamson: Good morning, Barry Abrahamson, Abrahamson and Associates. You know we are hoping that if this RFP addendum and restated RFP is accepted today, or with only very minor modifications that the RFP can be issued within a few days; and assuming that we are heading into the summer and of course summer time is a little different than regular season time in terms of people taking vacations and such. So a schedule that I floated, it certainly is subject to reconsideration is, giving developers nine weeks to respond and the reason that we are providing that long a time is that this is essentially for some potential respondents a new RFP. I think there may have been some folks who looked at the previous RFP and just said, we are not interested in doing that and they didn't give it any further thought, and we want to reintroduce this to the market, get the fullest exposure and consideration, make sure people understand they have enough time and that they are welcome to do that, so we are allowing supposedly about nine weeks to respond, which would put response in late July. We would have some time to evaluate those proposals, notify the developers to be interviewed in late August, and have interviews the end of the week following Labor Day. I think that's probably going to work best in terms of making sure that you are getting all the potential respondents, their teams, evaluation committee members, and consultants and staff available to be at the interviews. And so, assuming those interviews happen approximately September 9th and 10th, we would hope to have an evaluation memo available for the Commission by Thursday, the 17th of September, and the Commission would be able to vote on approving the short list of developers at its September 22nd meeting, and of course they'll be flexibility if we find in the interview process that there is – it opens up whole new avenues of exploration, we would react accordingly and perhaps if it makes sense to delay a couple weeks further.

City Manager Swanson-Rivenbark: And just as clarification – this is a two-stage process. So the first stage is really a qualifications round – show us what you've done, what you've done with your team, your ability to garner financing. It is a very easy entry into the process and give us a little bit of what you would want as a concept, but it is not the time to draw full elevations, full construction drawings. It is merely, are you qualified to move forward?- an evaluation committee

would consider that, bring you those recommendations in a rank form, and you could decide pass/fail, which ones you would want to move into that next round, and then it's that next round where its traffic studies, market feasibility, a great deal of detail – east/south/north/west elevations, so that's where a lot of money is put into the process, so ease of entry into first round, a pass/fail, do they continue?- is the Commission interested in that short list?- do they want to tighten it further?- and then unto stage two, which will be very detailed competitive process.

Mr. Abrahamson: I idea to that as Cathy said its ease of entry for the developers and that's vital to get them into a process, but I think this maybe one case where on the evaluation side we may have some things to chew on here, because we've offered them three alternatives for how they may want to approach the project, and there are within each of those alternatives some different approaches they might propose in terms of different methods of acquiring the site, Garage 4, there is a strong preference expressed for a land lease, but we have allowed the consideration of sale of that property and some other things that may – I'm sort of curious to see what we are going to get and where that will take us, and how many proposals we get.

Commissioner Lago: Let me ask you a quick question. The mentioned the month of September to bring it before the Commission, do you find that to be a little aggressive or you feel comfortable with that timeframe?- and I'll tell you why I'm asking that. I'm asking that because after Madam City Manager mentioned that this is what I wanted to make very clear, we are kind of in an RFQ process, we are looking for really, not an RFP, we are looking for a qualification, because there are a lot of people that are probably going to be very interested in potentially embarking in this partnership with the City of Coral Gables, but a lot of people are probably not going to be qualified sufficient to embark in a project which is as complex as this project. It's very simple to say you can build, anyone can build, but this is truly a partnership between a private and public entity, which is going to cost a lot of money and a lot of time and effort for these entities to become involved. There is probably maybe a dozen or so entities in South Florida, if not nationally, they could probably become partners with the City of Coral Gables, and I want to make sure that we vet these firms and we don't waste anyone's time. I know that we kind of – I don't want to say we kind of put the brakes, we halted the process a little bit and slowed it down, because we were really concentrating on Miracle Mile and making sure that we schedule these accordingly, because the last thing we want to do is lose all the parking, which would be a significant issue for the downtown area. So you really think that September is a feasible timeframe?

Mr. Abrahamson: I do. You know the schedule calls for receiving proposals July 23rd, obviously it can get pushed couple days one way or the other, and not short-listing, but notifying those developers who we want to interview, which doesn't guarantee them that they will be short-listed, one month later. So you've got a month there to do some fact checking on them and get

some comfort, and then it's another month almost before the Commission would select, and again, you know depending on what we see in the evaluation, what we see in the interviews, there is certainly the ability to extend at that point. There is not point having spent this much time laying the foundation here for us to rush to adhere to a schedule as you get further out there is flexibility built into it.

Commissioner Lago: I just want to make sure because if we do set the schedule and at a certain point we do pump the brakes again, people kind of get discouraged who may potentially in the future may be a suitable partner for us, so I want to make sure that everyone that's interested is aware, because I think we had about 50 entities that had sent interest – how many?

Ms. Birdsill: We had 50 entities that were on the list to be notified if the RFP went out.

Commissioner Lago: That's a pretty significant amount and I want to make sure that we get as many people out there as possible who are qualified, obviously, who are qualified to become partners with us, and the last thing I want is for another firm to say listen, I'm not getting involved, this has been delayed, it continues to be delayed, continues to be delayed, and we'll look for other opportunities.

City Manager Swanson-Rivenbark: Commissioner Lago just to manage expectations – those were 50 groups that were interested in the information, but they may have been an architect or a contractor or one that wanted to provide services to a developer. There are very few qualified developers that can enter into a public/private joint venture on a 99-year lease agreement, so the concept of this process is, let's identify the most qualified and then let's have them really put in the detailed proposals. This is an open slate; everyone has the opportunity to submit their credentials, by making the revisions we believe it has opened up even further for developers to come to the table. First priority is public parking; secondly, as a public/private joint venture it's our land but their dough, they have to provide the money to make this happen, and we are looking for a high quality project with developers with strong experience.

City Attorney Leen: Mr. Mayor. I just wanted to add one thing for purposes of the record. This is ultimately an RFP though, the Commissioner is correct, there is a qualification component, but I wanted to just say to you that the resolution and the cover memo indicate that this is a little different than other procurements. Ultimately you are deciding how to use City property, and I've given an opinion and we put it into the resolution. At both stages the matter is going to be brought to you and you make the final decision. So it's a little different than the typical big protest procedure where you receive a recommendation – generally the Commission accepts a recommendation unless there is a bid protest. You have the complete authority here to determine who you want at each stage. So I just wanted to make that clear for the record. I believe that it's

consistent with our Code, both because you're also determining how this property is used for years to come, also because it relates to real property that the City owns, and so it's covered by exemptions and there is a specific provision of the Code related to it. So I just wanted to make that clear for the record and for potential proposers, ultimately the Commission makes the final decision even if you receive a recommendation from staff, it doesn't vest you with any rights, it is the Commission's decision in the end.

City Manager Swanson-Rivenbark: And Mr. Mayor before there is a vote, because we are asking for a resolution, you all allowed us to brief you extensively individually prior to this meeting, and while the majority of the concepts were accepted, there was considerable discussion related to, should even developers be allowed to propose development over Miracle Theater?- and it would be helpful to us and to ultimately the developers to really understand if that's a direction, the allowance of that of the Commission, or is this an appropriate time to remove that element, because to have a developer come develop a plan, base a process on a potential high-rise site, canter leveraging over, if that's not ultimately the desire of the Commission it's better for us to remove that option now.

Vice Mayor Quesada: So I was one of the ones that discussed it with you for quite some time, and I was the one who mentioned that the first time this RFP came up; and the reason for that is, I don't want to handcuff any proposal from something spectacular. I think the numbers likely won't make sense for any developer proposing it, but why should we handcuff that? If we get a great design and we decide later on after we see it that something that canter leveraging doesn't make sense or we don't like the way it looks, then we can tell them no, again, it's our ultimate decision. What I've always envisioned for this RFP is make it as open as possible so that we really promote a spectacular project in the heart of our downtown. I don't know if I'm going to be for it or against it once it's done, but again, who's to say there isn't a Frank Gary of the world that comes in and proposes something that just knocks our socks off. So again, I didn't want to handcuff any developer when I initially proposed that, so that's why I'm still in favor of leaving it in there, let's not make that decision now. That's just the way I feel about it.

Mayor Cason: I would agree. I would agree. It opens up the possibilities of something great, may not work, but we can make that decision later on.

Commissioner Keon: I'm not a contractor and I'm not an engineer, so if someone from staff that has both engineering and contracting knowledge, I'd like them to answer some questions for me with regard to that. Who?

Vice Mayor Quesada: Ask the question, see if....

Commissioner Keon: I tend to not be in favor of allowing them to canter lever over the Playhouse, and a lot of it is just the aesthetics of the Mile. It is – what is the height limitation of the Mile is how many feet Ramon?- what's the height limitation on the Mile?- the same reason that Tarpon Bend steps down from the residential property behind it.

Vice Mayor Quesada: Well technically canter levering over the front side of the theater, be canter levering over the rear end.

Commissioner Keon: Canter lever over the alley is certainly acceptable and we have done that in other projects.

Vice Mayor Quesada: It wouldn't jut out, I guess it wouldn't jut north over Miracle Mile, it would only be over – I mean it would be parallel with itself, so I think we are talking about the same thing.

Commissioner Keon: But if you are saying – if you are allowing them to canter lever over the Actor's Playhouse without setting a setback for how far they can canter lever over, you are changing the whole aesthetic of the Mile.

Vice Mayor Quesada: We are not discussing the same thing. We are not discussing the same thing. I'm looking at the map, it's kind of tough because we don't have it up, but really if you go east to west, you have a parking lot, I apologize I always forget the numbers, the Publix parking lot.

Commissioner Keon: That's 4, right?- 4 is the parking...

Vice Mayor Quesada: Is that 4?

City Manager Swanson-Rivenbark: Yes.

Commissioner Keon: And the Actor's Theater is 1.

Vice Mayor Quesada: So, this is going to be a horrible description, so try to follow along with me. You have Andalusia...

Commissioner Keon: Right.

Vice Mayor Quesada: You have Parking Garage No. 4...

Commissioner Keon: Right.

Vice Mayor Quesada: And then to the north of that you have the Miracle Mile, California Pizza Kitchen, the bridal store, the Men's Warehouse.

Commissioner Keon: Right.

Vice Mayor Quesada: OK. So at the same level, the north/south – from the south side there directly on Andalusia, Parking Garage No. 4, you have Salzedo, you have the Playhouse...

Commissioner Keon: Right.

Vice Mayor Quesada: Now the Playhouse on the northern side of that block on Miracle Mile, next to Ortanique, the entrance on the south side which abuts Andalusia, and then you have Parking Garage No. 1. The canter leveraging would be, I know this is bad, I told you it was going to be bad, would be over the south side of Actor's Playhouse, you know where sometimes you see the actors parking or coming in and out where the dumpsters are, not over the portion that abuts Miracle Mile.

Commissioner Keon: I understand now. But that's not clear – I understand now, but that's not clear in this RFP that that's what you are talking about. What you are asking for is that little, it's kind of L-shaped, that wraps around the back...

Vice Mayor Quesada: I don't disagree with you though.

Commissioner Keon:...on Salzedo and Andalusia. I would not go beyond...

Vice Mayor Quesada: The northern portion of that block.

City Manager Swanson-Rivenbark: Excuse me on second. Just for clarification, the alley runs east/west, it does not continue into the theater, it stops.

Vice Mayor Quesada: Correct.

City Manager Swanson-Rivenbark: Are you suggesting that east/west line be the farthest north that a canter lever could occur?

Commissioner Keon: Yes. I mean I think that's what you are saying.

Vice Mayor Quesada: Yes, unless you tell me otherwise.

City Manager Swanson-Rivenbark: I think we just need to make it clear. It has to be very...because today how....

Commissioner Keon: So I think what you are saying is consistent with the alley. I mean if the alley were to continue through....

Vice Mayor Quesada: Correct.

Commissioner Keon:...to Salzedo...

Vice Mayor Quesada: Correct.

Commissioner Keon:...that would be the extent to which someone can canter lever, so you could actually canter lever over the alley at a height of, is it 18 feet?- or what is the clearance for a fire truck or whatever?- you would have to determine...

Vice Mayor Quesada: That's in the RFP in the alley.

City Manager Swanson-Rivenbark: It is 18 feet.

Commissioner Keon: I think its 18 feet, whatever that is, but that it couldn't canter lever further than the alley. It could be contiguous with the canter lever portion over the alley, but no further forward than that, no further north than that.

Commissioner Slesnick: Basically represents where the theater actual seating of the theater and the stage is...

Commissioner Keon: Oh, I don't know, it's whatever is consistent so that the setback line of the buildings on the Mile between the Mile and the alley remain the same, so there is no intrusion into that setback. So I think that is a different wording than to canter lever over the Actor's Playhouse. I just want to make it really clear.

Mayor Cason: You can make that clear.

Vice Mayor Quesada: It's clarifying.

Commissioner Keon: So you'll make that clarification in the....

City Manager Swanson-Rivenbark: And our office will review it before it's released. We understand that the development cannot intrude further north than the alley itself.

Commissioner Keon: Have we given any consideration to bridging those two garages if one person does them?- the ability to bridge over Salzedo?

City Manager Swanson-Rivenbark: My personal feeling is, you allow alternatives as a part of the developments without stipulating what those alternatives are, so if indeed a proposer came forward and was bidding on both and wanted to develop a connection, there is nothing that would preclude them from providing that linkage, but nothing also that would obligate them.

Commissioner Keon: OK.

Commissioner Slesnick: Pat are you thinking about pedestrian walkway or cars like at the airport?

Commissioner Keon: No, I'm really thinking more of a pedestrian walkway to go from one...

City Manager Swanson-Rivenbark: So every urban planner will start cringing in our City on the concept of a pedestrian walkway that is above ground, because we really want to keep the pulse on the sidewalk.

Commissioner Keon: OK. You are right. Thank you.

Mayor Cason: Well, I think most of the things we discussed before in terms of the concepts are in there, the valet, the state-of-the-art electronics, the possibility of driving our cars...so I think most of the onus that we discussed are in here. I think it's much better.

Commissioner Keon: There is a suggestion to be able to have valet at the garage – yes? Thank you.

Mayor Cason: Alright. So a motion on this.

Vice Mayor Quesada: Well hold on a second. Just real briefly. I know there are some people in the audience that know our City and looking at a few of them right now. If there are any other thoughts that you guys have heard that maybe we are missing or something we should consider, speak now or forever hold your peace. OK.

Mayor Cason: A motion?

Commissioner Lago: I'll make a motion.

Mayor Cason: Commissioner Lago makes the motion, the Vice Mayor seconds it.

City Clerk

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 11:11:15 a.m.]