



To: Billy Urquia, City Clerk

From: Cristina M. Suárez, Deputy City Attorney

Approved By: Miriam Soler Ramos, City Attorney

MSR

RE: Correction to Resolution No. 2019-96

Date: December 2, 2021

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Pursuant to Resolution No. 2019-96 (“R. 2019-96”), the City Commission, among other things, approved the general business terms and authorized the City Manager and City Attorney to negotiate a development agreement with Coral Gables City Center, LLC for the redevelopment of Municipal Parking Garages 1 and 4 (“G1” and “G4”), but only if the City does not break ground in order to build a parking garage to replace G1 by October 1, 2022. While Section 2 of the operative clauses of R. 2019-96 plainly states that “[t]he City Commission wishes to allow the City the opportunity to build a new parking garage structure at the G1 site and grants staff until October 1, 2022 to break ground,” the fifteenth “Whereas” clause provides that “the City Commission wishes to allow the City the opportunity to break ground on building a new parking garage, with approximately 750 public parking spaces, to replace the existing structure at the G1 site by October 1, 2022.” As the City progresses on its plans toward breaking ground on the G1 site by October 1, 2022, our office has reviewed R. 2019-96 and the transcript of the March 26, 2019 City Commission meeting during which R. 2019-96 was adopted. Neither then-Commissioner Quesada’s motion nor the subsequent debate and deliberation by the Commission regarding giving the City the opportunity to break ground on G1 by October 1, 2022 specified any number of public parking spaces, or any other requirements or specifications, for the new structure to be built by the City. Thus, in my opinion, the inclusion of “with approximately 750 public parking spaces” in the fifteenth “Whereas” clause was done in error and should be stricken. The City Attorney has been granted express authority to take such action under section 2-252(e)(9) of the City Code. Accordingly, pursuant to that section, please make the following administrative correction to delete the stricken words in R. 2019-96:

WHEREAS, the City Commission wishes to allow the City the opportunity to break ground on building a new parking garage, ~~with approximately 750 public parking spaces,~~ to replace the existing structure at the G1 site by October 1, 2022; if the City breaks ground on the G1 site by October 1, 2022, the City Commission wishes

to grant CGCC a one- time right of first refusal to purchase the site where G4 is currently located, for a period not to exceed 25 years; breaking ground shall be defined as the starting of physical work on the G1 site to, in good faith, commence continuous construction of the public parking garage; and