

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2010-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES APPROVING PURCHASE OF PROPERTY AT 4650 ALHAMBRA CIRCLE, CORAL GABLES, FLORIDA, PURSUANT TO ORDINANCE NO. 2009-53, THE LEGAL DESCRIPTION AND FOLIO NUMBERS OF WHICH ARE SET FORTH AS FOLLOWS: CORAL GABLES COUNTRY CLUB SECTION 5 PB 23-55, LOTS 11 TO 14 INCLUSIVE, BLOCK 77, FOLIO 03-4119-001-0920, IN EXCHANGE FOR A MONETARY PAYMENT OF \$1,000,000.00 PROVIDED BY THE MIAMI-DADE COUNTY GENERAL OBLIGATION BOND PROJECT 88-70653 FOR PURCHASES OF PROPERTY FOR USE AS PARK LAND AND THE MIAMI-DADE COUNTY SAFE NEIGHBORHOOD PARKS BOND PROGRAM. PROVIDING A REPEALER PROVISION, A SAVINGS CLAUSE, AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has established set procedures for the purchase, sale or lease of public lands and buildings; and

WHEREAS, the City Commission passed Ordinance No. 2009-53 which established standards of business conduct, evaluations and appraisals for the purchase, sale or lease of such lands or buildings; and

WHEREAS, Ordinance No. 2009-53 requires that whenever the City purchases, sells or is involved in a lease of real estate, whether as lessor or lessee, and the fee simple value of the property being bought or sold, or the annual value of the property being leased is in excess of Two Hundred Fifty Thousand dollars (\$250,000.00), the City shall, prior to consummating the purchase, sale or lease, have the property appraised by two (2) real estate appraisers holding the M.A.I. designation; and

WHEREAS, Ordinance No. 2009-53 further stipulates that in order for the City Commission and the public to be fully apprised of all conditions relating to the proposed purchase, sale and/or lease of City property, the City Manager through the Finance, Economic Development, Parking, Public Works, Planning and Historic Preservation Departments, as well as the Budget and Audit Advisory Board, the Property Advisory Board and the Economic Development Board, by whatever name as they shall ever be known, shall prepare an analysis using the following criteria:

(1) Budget and Audit Advisory Board.

- a. Is the purchase, sale and/or lease consistent with the property appraisal as required under section 2-2014?

- b. What is the immediate impact on the current fiscal budget and the long term effect on future budgets, i.e. the long-term overall effect on the city?
- c. Considering the city's mission statement, are there other alternatives to entering into the proposed transaction?

(2) *Property advisory board.*

- a. Does the proposed use conform to the city's comprehensive plan and is it compatible with the surrounding neighborhood?
- b. Analyze the positive or negative impacts on adjacent property including, but not limited to, open space, traffic, access considerations, noise level, property values, improved development patterns and provision for necessary services including municipal utilities and other infrastructure systems and the needs and costs associated with the needed improvements. To the extent needed, traffic studies and other professional studies required shall be the responsibility of the proposed purchaser, developer, or lessee.
- c. Are the terms and conditions of the proposed purchase, sale, or lease of city property; or the proposed purchase or lease by the city of non-city property based on market terms and value?

(3) *Economic development board.*

- a. Is the proposed use in keeping with city goals and objectives?
- b. What is the economic impact to the city including, i.e. is the proposed use in keeping with a public purpose and community needs, such as expanding the city's revenue base, reducing city costs, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life?
- c. Are there alternatives available for the proposed disposition, including assembly of adjacent properties and can the project be accomplished under a private ownership assembly?

The finance, economic development, parking, public works, planning and historic preservation departments, with an analysis from the parking advisory board and historic preservation board, when applicable, along with the budget and audit advisory board, the property advisory board and the economic development board's analysis may address such other issues as these boards may deem appropriate in analysis of the proposed disposition.

WHEREAS, Ordinance 2009-53 requires that prior to the City's entering into any contract, agreement or lease relating to the purchase, sale or leasing or real property by, to or from the City, all individuals, corporations, partnerships, joint ventures or other legal entities having any interest of any kind in the property to be purchased, sold or leased, shall file with the City a document indentifying the extent of its ownership interest in the subject real property; and

WHEREAS, public hearings of the Coral Gables City Commission were advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard; and

WHEREAS, the City Commission determined that the requirements of Ordinance 2009-53 have been met; and

WHEREAS, the purchase price of the subject property is One Million Dollars and 00/100 (\$1,000,000.00); and

WHEREAS, the Miami-Dade General Obligation Bond Project 88-70653 and the Miami-Dade County Safe Neighborhood Parks Bond Program provide funding for purchase of the property for use as park land;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That the Coral Gables City Commission has determined that it is in the best interest of the citizens of Coral Gables to acquire the subject property; and

SECTION 3. That the purchase price of the subject property at 4650 Alhambra Circle, Coral Gables Florida, is One Million Dollars and 00/100 (\$1,000,000.00)

SECTION 4. That this Ordinance shall become effective (10) days after final reading and adoption thereof.

PASSED AND ADOPTED THIS ELEVENTH DAY OF MAY, A.D., 2010.

(Moved: Kerdyk / Seconded: Withers)

(Yeas: Withers, Anderson, Cabrera, Kerdyk, Slesnick)

(Unanimous: 5-0 Vote)

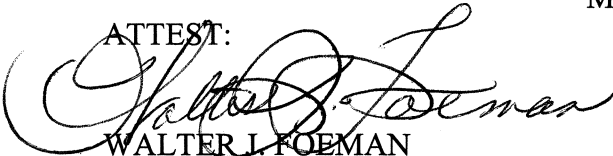
(Agenda Item: E-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY