

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-_____

AN AMENDED RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, WITH ATTACHMENTS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND THE CITY OF MIAMI TO ALLOW THE COMBINED PROPERTIES WHICH MAKE UP PUBLIX SUPERMARKET, INC., WHICH IS LOCATED IN BOTH CORAL GABLES AND MIAMI AT 114 PONCE DE LEON BLVD. (CORAL GABLES) AND 3690 WEST FLAGLER STREET (MIAMI), TO BE DEVELOPED AS ONE INTEGRATED DEVELOPMENT OVER THE MUNICIPAL BOUNDARIES OF BOTH CITIES.

WHEREAS, pursuant to Resolution No. 2007-273, on December 11, 2007, the City Commission authorized the City Manager to enter into an Interlocal Agreement with the City of Miami with regard to a property owned by Ponce Medical Plaza, LLC; and

WHEREAS, the real property is now owned by Publix Supermarket, Inc., therefore an amended Interlocal Agreement is required; and

WHEREAS, Florida Statutes, §163.01, the "Florida Interlocal Cooperation Act 1969," permits local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, the real property making up Publix Supermarket, Inc. is located within the municipal boundaries of Coral Gables and Miami at 114 Ponce de Leon Boulevard (Coral Gables) and 3690 West Flagler Street (Miami); and

WHEREAS, the owner wishes to develop the combined properties as one integrated development and building structure over the municipal boundaries of Coral Gables and Miami; and

WHEREAS, the Coral Gables property would now contain 73% of the Floor Area Ratio of the Combined Properties and the ad valorem tax revenues collected by Coral Gables shall be 73%; and

WHEREAS, the Interlocal Agreement meets the minimum requirements outlined in Florida Statutes §163.01; and

WHEREAS, the City Commission of Coral Gables finds that it is in the best interest of the City to enter into an Interlocal Agreement with the City of Miami.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

(1) That the above recitals are true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

(2) That the City Manager is hereby authorized to execute the attached Amended Interlocal Agreement with the City of Miami to meet certain specified conditions in order for the City to receive its appropriate distribution of ad valorem tax revenues.

(3) That this resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ day of November, 2008.

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY