

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION 2023-XX**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AUTHORIZING A ONE-MONTH EXTENSION OF THE CONCESSION AGREEMENT WITH FRESH AN, LLC FOR THE OPERATION OF THE CAFE SPACE AT THE CORAL GABLES GOLF AND COUNTRY CLUB.

**WHEREAS**, in May 2022, following years of management by a private operator, the City began managing and operating the City-owned Coral Gables Golf & Country Club (the “Country Club”); and

**WHEREAS**, pursuant to Resolution No. 2022-46, the City Commission waived the competitive process for a twelve-month period for, among other things, the engagement of vendors for services and any leases necessary for the continuity of services; and

**WHEREAS**, the City and Fresh AN, LLC entered into a Concession Agreement, attached as Exhibit A, for the operation of the café space located at the Country Club (the “Concession Agreement”); and

**WHEREAS**, the Concession Agreement was set expire on August 21, 2023; and

**WHEREAS**, on August 22, 2023, pursuant to Resolution No. 2023-227, the City Commission waived the competitive process of the Procurement Code with respect to operation of the café space located at the Country Club and authorized an extension through September 30, 2023 so that City staff and Fresh AN, LLC could negotiate terms for a two-year extension of the Concession Agreement; and

**WHEREAS**, while City staff and Fresh AN, LLC have met to discuss potential terms for such extension, additional time is needed to continue negotiations; and

**WHEREAS**, the City Commission finds that it is in the best interests of the City to waive the competitive process of the Procurement Code pursuant to Section 2-501(d) and extend the Concession Agreement for an additional one-month period, upon the same terms and conditions of the Concession Agreement, so that negotiations can continue for an extension for a two-year period upon terms and conditions to be agreed upon.

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

**SECTION 1.** That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission waives the competitive process of the Procurement Code with respect to operation of the café space located at the Country Club and authorizes a one-month extension of the Concession Agreement with Fresh AN, LLC, through October 31, 2023, upon the same terms and conditions to allow additional time for negotiations to continue for a two-year extension of the Concession Agreement with Fresh AN, LLC upon terms and conditions to be agreed upon.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS \_\_\_ DAY OF SEPTEMBER, A.D., 2023.

(Moved: \_\_\_\_/ Seconded: \_\_\_\_\_)

(Yeas:)

(Unanimous:)

(Non-Agenda Item)

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ  
CITY ATTORNEY