

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COMMISSION AUTHORIZING THE APPROVAL OF AN “AS-IS” FARBAR RESIDENTIAL CONTRACT FOR SALE AND PURCHASE AS AMENDED WITH CORAL 37 PDL FOR THE PURCHASE OF THE PROPERTY LOCATED AT 142 SW 37 AVE, CORAL GABLES, FL 33134 (FOLIO NO. 03-4105-050-0200) FOR THE PURPOSES OF ESTABLISHING A NEIGHBORHOOD PARK.

WHEREAS, the City continues to invest in the City's neighborhoods with the purpose of improving quality of life for its residents; and

WHEREAS, the City continues to make specific investments in properties that will be used as neighborhood parks to enhance the level of service provided by the Community Recreation Department; and

WHEREAS, on August 24, 2021, pursuant to Resolution No. 2021-227, the City Commission directed the City Manager to explore the potential purchase of the property located at 142 SW 37 AVE, Coral Gables, FL 33134 (Folio No. 03-4105-050-0200) (the “Property”), which is on the corner of Ponce de Leon Blvd. and Douglas Road, including obtaining two real estate appraisals; and

WHEREAS, the Property borders the City of Miami and serves as a focal point when individuals enter the City. Due to its size and location, the property is of value to the City to serve as a neighborhood park and to eventually provide City residents and visitors with a City of Coral Gables entrance feature; and

WHEREAS, City staff and the Coral 37 DPL (the “Seller”) have negotiated a proposed FARBAR Residential Contract for Sale and Purchase as Amended (the “Agreement”) that includes the following terms: a purchase price of \$750,000 (including a security deposit of \$50,000); a 15-day inspection period; contingent on City Commission approval by May 31, 2022 and on the Seller closing all open or expired permits, curing any and all code violations or citations, and paying all fees due in connection with the Property prior to the closing; and

WHEREAS, in accordance with Chapter 2, Article VIII, Division 12 of the City Code “Purchase, Sale, and Lease of Public Property,” the City obtained two appraisals from MAI certified appraisers and the Owner submitted a third appraisal to the City, all ranging in appraised values between \$430,000 to \$1,015,000; and

WHEREAS, the Property Advisory Board, the Parks & Recreation Advisory Board, the Budget/Audit Advisory Board, the Landmark Advisory Board, and the Economic Development Board all reviewed the proposed terms and recommended that the City purchase

the Property with the terms set forth in the above whereas clauses, at their meetings on April 13, April 14, April 27, May 3, and May 4, respectively; and

WHEREAS, the purchase of the Property will be funded with \$750,000 from Land Acquisition;

WHEREAS, the Commission has been presented with the proposed Purchase and Sale Agreement for its consideration and approval; and

WHEREAS, pursuant to Section 2-1089 of the City Code, the City Commission, upon a four-fifths vote, has the authority to waive any provision of Chapter 2, Article VIII where it finds such a waiver to be necessary in order to proceed with a purchase, sale, or lease which is in the best interest of the City, and where such waiver would serve the public interest to the extent that any provision of this section was not complied with, the City Commission waives said provision in the best interest of the City; and

WHEREAS, the City Commission finds that the purchase of the property located at 142 SW 37 AVE, Coral Gables, FL 33134 (Folio No. 03-4105-050-0200) serves the public interest and that it is in the best interest of the City to authorize the City Manager to execute the Purchase and Sale Agreement.

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

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

SECTION 2. That the FARBAR Residential Contract for Sale and Purchase as Amended is hereby approved in substantially the form attached as Exhibit A, with any such modifications as may be approved by the City Manager and the City Attorney to carry out the City Commission’s intention.

SECTION 3. That the City Commission approves the FARBAR Residential Contract for Sale and Purchase as Amended for the purchase of the property located at 142 SW 37 AVE, Coral Gables, FL 33134 (Folio No. 03-4105-050-0200) for the purpose of creating a neighborhood park, preserving landscaped open space, enhancing the Community Recreation Department’s level of service to the surrounding neighborhood, and improving the overall quality of life for its residents and waives any provision of Chapter 2, Article VIII finding that such waiver serves the public interest.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. That this Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TENTH DAY OF MAY, A.D., 2022.

(Moved: / Seconded:)

(Yeas: / Nays:)

(Vote:)

(Agenda Item:)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY