

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-333

A RESOLUTION DECLARING THE CONTENTS OF THE PRESTON SCOTT DESIGN WITH FLOWERS STORE SURPLUS CITY PROPERTY IN ACCORDANCE WITH SECTION 2-920 OF THE PROCUREMENT CODE TO AUTHORIZE DISPOSAL OF SAID SURPLUS PROPERTY BY PUBLIC AUCTION ON DECEMBER 20, 2009.

WHEREAS, on September 23, 2009 Bankruptcy Court authorized that the contents of the Preston Scott Design with Flowers Store be abandoned to the City of Coral Gables as the landlord and creditor; and

WHEREAS, the contents of the store should be disposed of as surplus property in order to recoup unpaid rent and other expenses owed to the City and to allow for re-lease of this retail space; and

WHEREAS, in accordance with Section 2-920 of the Procurement Code, property with a fair market value in excess of \$25,000 must be declared surplus by the City Commission before it may be disposed of by the Chief Procurement Officer by public auction;

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

SECTION 1. 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 does hereby declare that contents of the Preston Scott Design with Flowers Store are declared surplus property, and that the City Manager is hereby authorized to direct the Chief Procurement Officer to dispose of said property by public auction.

SECTION 3. That all Resolutions or parts of Resolutions inconsistent with, or in conflict herewith, shall be and are hereby repealed insofar as there is conflict or inconsistency.

herein. **SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption

PASSED AND ADOPTED THIS FIFTEENTH DAY OF DECEMBER, A.D., 2009.

(Moved: Kerdyk / Seconded: Cabrera)

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

(Unanimous: 5-0 Vote)

(Agenda Item: C-5)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY