

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2023-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING AN AMENDMENT TO SECTION XII OF THE AMENDED AND RESTATED AGREEMENT FOR OPERATION OF THE CORAL GABLES MUSEUM CORPORATION AMENDING THE CITY'S REPAIR AND MAINTENANCE RESPONSIBILITIES FOR THE COMMUNITY MEETING ROOM.

WHEREAS, Ordinance No. 2011-04 passed and adopted February 8th, 2011 authorized an Amended and Restated Agreement for the operation of the Coral Gables Museum at 284 Aragon Avenue which is the current agreement; and

WHEREAS, the current Amended and Restated Agreement's Section XII states the current repair maintenance responsibilities of the City and Coral Gables Museum; and

WHEREAS, the City has received a request from the Coral Gables Museum to install a new projector, motorized screen, spotlight and sound system, acoustic panels, motorized window blinds, and hardwood floors in the Community Meeting Room; and

WHEREAS, the City has certain repair and maintenance responsibilities under Section XII of the Amended and Restated Agreement; and

WHEREAS, CGM agrees to take full responsibility for the installation and future maintenance of the proposed upgrades to the Community Meeting Room; and

WHEREAS, Section XII of the Amended and Restated Agreement must be amended to reflect CGM's maintenance responsibility for the Community Meeting Room and exempt the City from future repair and maintenance obligations related CGM'S upgrades to the Community Meeting Room; and

WHEREAS, the City Commission directs the City Manager and City Attorney to execute an amendment to the Amended and Restated Agreement dated February 8th, 2011 reflecting those changes;

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 Manager and City Attorney are hereby authorized to execute an amendment to the current Amended and Restated Agreement for Operation of the Coral Gables Museum, dated February 8th, 2011 specifying that the particular upgrades made to the CMR by CMG in 2023 are excluded from the City's ongoing repair and maintenance responsibilities.

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

PASSED AND ADOPTED THIS ____ DAY OF AUGUST, 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

**AMENDMENT # 2 – AMENDED AND RESTATED AGREEMENT
FOR OPERATION OF THE CORAL GABLES MUSEUM**

THIS SECOND AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR OPERATION OF THE CORAL GABLES MUSEUM dated February 8th, 2011, (hereinafter called “the Agreement”) is made as of this twenty-second day of August, 2023, between the City of Coral Gables (hereinafter called the City”), and the Coral Gables Museum, Corp. (hereinafter called “CGM”), collectively referred to as “the Parties”.

RECITALS

WHEREAS, Ordinance No. 2011-04, passed and adopted February 8, 2011, authorized an Amended and Restated Agreement for the operation of the Coral Gables Museum at 285 Aragon Avenue; and

WHEREAS, Resolution No. 2023-___, passed and adopted August 22, 2023, by the Coral Gables City Commission authorized the amendment to the Agreement; and

WHEREAS, Ordinance No. 2011-04, permits amendment to the Agreement by Coral Gables City Commission Resolution; and

WHEREAS, CGM wishes to install a new projector, motorized screen, spotlight and sound system, acoustic panels, motorized window blinds, and hardwood floors in the Community Meeting Room (as outlined in the floor plans included in the Amended and Agreement); and

WHEREAS, the City has certain repair and maintenance responsibilities under Section XII of the Agreement; and

WHEREAS, CGM agrees to take full responsibility for the installation and future maintenance of the proposed upgrades to the Community Meeting Room.

NOW THEREFORE, the Parties agree, understand, accept, and acknowledge that through this Amendment, the Amended and Restated Agreement for the Operation of the Coral Gables Museum is hereby modified as follows:

1. Article XII Section A is amended to include the following additional term:
 - a. CGM, at CGM's own expense, is solely responsible for the installation and maintenance of wooden flooring located in the Community Meeting Room ("CMR"). CGM is also solely responsible for the installation and maintenance of the proposed CMR upgrades including a new projector, motorized screen, new spotlighting and sound systems, acoustic panels, and motorized screen. CGM specifically exempts the CMR flooring and any other applicable improvements

from the City's maintenance responsibilities under Article XII Section B. The work shall comply with all applicable codes, rules, regulations, and ordinances. CGM shall obtain approval through the City's development services permitting process for all upgrades to the CMR.

2. All other terms and conditions of the Amended and Restated Agreement for Operation of the Coral Gables Museum remain in effect.
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IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

AS TO CITY:

Peter J. Iglesias, P.E
City Manager

ATTEST:

Billy Y. Urquia
City Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Cristina M. Suárez
City Attorney

ATTEST:

AS TO Coral Gables Museum, Corp.

Corporate Secretary
Print Name: _____

Title: CHAIRMAN
Print Name: JOSE VALDES FAULK

(SEAL)

(OR)

WITNESSES (2):

Print Name: _____

Print Name: _____