



City of Coral Gables
CITY COMMISSION MEETING
January 25, 2022

ITEM TITLE:

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, authorizing terminating the existing Lease and entering into a new Lease with Coral Gables Congregational Church, Inc., a Florida non-profit corporation, for the surface parking lot within the platted right-of-way bounded on the north by Malaga Avenue, on the south by Anastasia Avenue, on the east by De Soto Boulevard, and on the west by Columbus Boulevard, for a period of five (5) years and with two (2) additional, 5-year renewal options, at the City’s discretion.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

Pursuant to Resolution No. 26231 (adopted on July 21, 1987), on February 2, 1989, the City of Coral Gables (the “Landlord”) and Coral Gables Congregational Church (the “Tenant”) entered into a Lease Agreement (the “Existing Lease”) for the surface parking lot within the platted right-of-way bounded on the north by Malaga Avenue, on the south by Anastasia Avenue, on the east by De Soto Boulevard, and on the west by Columbus Boulevard (the “Premises”). The Existing Lease term was for ten (10) years and provided for ten (10) additional 5-year renewal options.

Pursuant to the Lease renewal options, Landlord and Tenant renewed the Lease on February 2, 1999 (1st option). Lease renewals also occurred pursuant to Resolution No. 2005-71, adopted April 26, 2005 (2nd Option), and to Resolution No. 09-0463, adopted July 7, 2009 (3rd Option). Landlord and Tenant also renewed the Lease on February 2, 2014 (4th Option) and February 2, 2019 (5th Option) pursuant to shared correspondence.

In 2019, Tenant notified Landlord of its intent to reseal and restripe the surface parking lot at the Premises (the “Tenant’s Work”) and Landlord determined that in order to perform Tenant’s Work and abide by Miami-Dade County Ordinance No. 01-196, lighting would need to be installed (the “Landlord’s Work”) on the Premises. Landlord also determined that the existing Lease pertained to Premises that consist of platted right-of-way, and as such, lacked the necessary right of termination and appropriate use and occupancy provisions required by applicable law. As such, Landlord and Tenant are requesting authorization to terminate the Existing Lease and enter into a new Lease with the following terms and provisions:

- Term and Renewals: Initial five (5) year term with two (2) additional, 5-year renewal options, at the City’s discretion.
- Rent and Escalations: \$1,200 increasing at 3% per year throughout initial term and renewals.

- Landlord's Work: Landlord will install lighting on the Premises at its own cost and expense. (Initial FPL Installation Cost-\$3,404.71; \$354.65 monthly electricity and maintenance cost thereafter).
- Tenant's Work: Tenant shall reseal and restripe the surface parking lot at the Premises and upon completion of Tenant's Work (not to exceed \$2,800.00), Landlord will deduct \$200.00 from the monthly rent until the Tenant's Work \$2,800.00 is reimbursed in full.
- Right of Termination: Landlord shall have the right to terminate this Lease, for any necessary reason upon at least sixty (60) days written notice to Tenant, or sooner if the termination is deemed urgent by Landlord.
- Use and Occupancy: Tenant acknowledges that Tenant's use and occupancy of the Premises for a public purpose are a material inducement for Landlord to lease the Premises to Tenant. The Tenant will use and occupy the Premises for the no other use or purpose that the public use as a surface parking lot for Tenant's visitors and/or employees.
- Landlord will have sole and exclusive use of the Premises on July 4th of every year between the hours of 7:00 AM and 11:59 AM to use for overflow parking for the City's Independence Day celebration. When the 4th of July falls on a Sunday, Landlord's use of the Premises shall only commence at 2:00 PM instead of 7:00 AM.

Aerial View of the Parking Area:



LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
7/21/87	Resolution No. 26231	Approval of Lease
4/26/05	Resolution No. 2005-71	Approval of Lease Renewal
07/07/09	Resolution No. 2009-0463	Approval of Lease Renewal

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date.	Board/Committee	Comments
09/01/21	Economic Development Board	Recommended unanimously; proposed lighting should be cognizant of the surrounding neighborhood
09/08/21	Property Advisory Board	Recommended unanimously; proposed lighting should be cognizant of the surrounding neighborhood
09/22/21	Parking Advisory Board	Recommended unanimously
10/06/21	Budget Advisory Board	Recommended unanimously

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
460-362-174		Lease Renewal

ATTACHMENT(S):

1. **Draft Ordinance**
2. **Draft Lease Agreement**
3. **Economic Development Board Minutes 09.01.21**
4. **Property Advisory Board Minutes 09.08.21**
5. **Parking Advisory Board Minutes 09.22.21**
6. **Budget & Audit Advisory Board Minutes 10.06.21**