

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-_____

A RESOLUTION APPROVING THE AGREEMENT OF SALE AND PURCHASE WITH FERNANDRA PROPERTIES, LLC, AND THE CITY FOR THE RESIDENTIAL LOT LOCATED AT 807 CATALONIA AVE, CORAL GABLES, FLORIDA AS PART OF THE NEIGHBORHOOD RENAISSANCE PROGRAM (NRP) FOR PURPOSE OF A NEIGHBORHOOD PARK AND WAIVING THE REQUIREMENTS OF THE PROCUREMENT CODE, PURSUANT TO SECTION 2-5483(D).

WHEREAS, the City authorized Resolution 2011-139 on June 7, 2011 and Resolution No. 2011-70 on April 26, 2011 to begin the Neighborhood Renaissance Program (NRP) for the purpose of improving the quality of life by investing in the City's neighborhoods; and

WHEREAS, the City authorized Resolution No. 2016-35 to amend the NRP to allow a broader spectrum of neighborhood projects which includes the acquisition of properties to be used for parks and public use; and

WHEREAS, City staff has identified a parcel of land located at 807 Catalonia Avenue, Coral Gables, FL to be used as a park and Fernandra Properties, LLC (Owner) has a desire to sell to the City; and

WHEREAS, City staff and Owner propose the following terms: a purchase price of \$950,000; including security deposit of \$95,000; 45 days due diligence; appraisal contingency; neighborhood consensus and City Commission approval. Provided the following contingencies are met, a closing would occur 60 days after execution of the contract; and

WHEREAS, the Budget/Audit Advisory Board, the Economic Development Board and the Property Advisory Board all reviewed the proposed terms and recommended that the City enter into the Agreement on the terms set forth in the above whereas clause, at their meetings on March 31, 2016, April 6, 2016 and April 13, 2016, respectively. On April 15, 2016, the Parks and Recreation Advisory Board recommended deferring a decision to their next meeting scheduled April 22, 2016; and

WHEREAS, the Procurement Code Section 2-583 provides the authority to the City Commission to waive any condition of the Procurement Code upon a four-fifths vote where it finds such waiver to be necessary in order to proceed with a contract, which is in the best interest of the City.

WHEREAS, the City Manager in consultation with City Staff finds that entering into an Agreement of Sale and Purchase would be beneficial to the City.

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 the adoption hereof.

SECTION 2. That the Agreement is hereby authorized in substantially the form attached hereto as Exhibit “A.”

SECTION 3. That the City Commission does hereby authorize the City Manager to execute the Agreement with such modifications to the form attached hereto as Exhibit “A” as may be approved by the City Manager and City Attorney in order to implement the intent of this resolution.

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

PASSED AND ADOPTED THIS TWENTY-SIXTH OF APRIL, A.D., 2016.

(Moved: / Seconded:)
(Yeas: / Nays:)
(Vote:)
(Agenda Item:)

APPROVED:

JAMES C. CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

CRAIG E. LEEN
CITY ATTORNEY