

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2010-224

RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH FILING AN ACTION FOR BREACH OF CONTRACT AGAINST MERRICK TRUST, LLC FOR ITS FAILURE TO PAY ITS ANNUAL FEE FOR REIMBURSEMENT OF NINE (9) ON-STREET PARKING SPACES FOR THE 2010 FISCAL YEAR; AND FURTHER AUTHORIZING THE CITY ATTORNEY TO TAKE ALL ACTION NECESSARY TO REPRESENT THE INTERESTS OF THE CITY.

BE IT RESOLVED BY THE CITY COMMISSION OF CORAL GABLES:

SECTION 1. That the City Commission does hereby instruct the City Attorney to proceed with filing an action for breach of contract against Merrick Trust, LLC, for its failure to pay its annual fee for reimbursement of nine (9) on-street parking spaces for the 2010 fiscal year pursuant to Ordinance No. 2003-43, wherein the Company was to make payment to the City for the loss of the nine (9) on-street parking spaces resulting from the project; and to take all action necessary to represent the interest of the City.

SECTION 2. That this Resolution shall become effective upon the date of its adoption and passage herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF SEPTEMBER, A.D., 2010.

(Moved: Anderson / Seconded: Kerdyk)

(Yea: Kerdyk, Withers, Anderson, Slesnick)

(Majority: (4-1) Vote)

(Nays: Cabrera)

(Agenda Item: I-1)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:
Walter J. Foeman
WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Elizabeth M. Hernandez
ELIZABETH M. HERNANDEZ
CITY ATTORNEY