

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2014-

RESOLUTION AUTHORIZING ENTERING INTO A LEASE WITH ABOTI, LLC D/B/A HAAGEN DAZS, WITH REGARD TO CITY OWNED PROPERTY AT 286 MIRACLE MILE, CORAL GABLES, FLORIDA FOR A PERIOD OF TEN (10) YEARS.

WHEREAS, Aboti, LLC, d/b/a Haagen Dazs a Florida limited liability company (the “Tenant”), desires to expand their business by opening a Haagen Dazs franchise in City owned property located at 286 Miracle Mile, Coral Gables, FL 33134; and

WHEREAS, the Tenant proposes a lease with the following terms: a ten year term; two rights to renew for ten years each at 95% market rate; Landlord may terminate with nine month written notice provided Landlord reimburses Tenant for its unamortized portion of tenant improvements; a security deposit of two months’ rent along with a personal gauranty of Gonzalo and Celia Perez; a three month rent abatement after a twelve month build out period; improvements of approximately \$300,000; base rent of \$50.00 per square foot escalating by 2% a year which is market rate and more than the prior tenant was paying; payment of all maintenance, insurance and real estate taxes by Tenant; and the City will pay a brokerage fee to Equity Resource Group, LLC in the amount of \$14,339; 50% paid upon execution and 50% paid on the fifth month after the rent commencement date; and

WHEREAS, the Economic Development Board, the Budget & Audit Advisory Board and the Property Advisory Board all reviewed the proposed terms and recommended that the City enter into the Lease on the terms set forth in the above whereas clause, at their meetings on April 2, 2014, April 16, 2014 and April 30, 2014, respectively.

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

SECTION 1. That the foregoing “Whereas” clauses are here hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

SECTION 2. The City Commission does hereby authorize the City Manager to executed the Lease with the Tenant with such modifications to the forms attached hereto as Exhibit “A” as may be approved by the City Manager and City Attorney that are necessary to implement the intent of this resolution.

SECTION 3. That the City Commission does hereby authorize the City Manager to execute the Lease 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 THIRTEENTH OF MAY, A.D., 2014.

(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