

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-159

A RESOLUTION OF THE CITY COMMISSION AUTHORIZING ENTERING INTO A LEASE WITH GRAZIANO'S GOURMET IN THE GABLES, LLC WITH REGARD TO CITY-OWNED PROPERTY AT 2301 GALIANO AVENUE, CORAL GABLES, FLORIDA, 33134 GRANTING APPROVAL OF LEASE TERMS FOR A PERIOD OF FIVE (5) YEARS WITH TWO ADDITIONAL FIVE (5) YEAR RENEWAL OPTIONS SUBJECT TO COMMISSION APPROVAL.

WHEREAS, Graziano Enterprises, LLC assumed the lease for 2301 Galiano Street, Coral Gables, FL 33134 (the "Premises) by virtue of an Assignment Agreement dated September 27, 2005, as authorized by Resolution No. 2005-189; and

WHEREAS, pursuant to Resolution No. 2006-01, in December of 2005, Graziano Enterprises LLC assigned the lease to Graziano's Gourmet in the Gables, LLC (the "Tenant") by execution of an Assignment Agreement; and

WHEREAS, pursuant to Resolution No. 2010-181, the Tenant and the City of Coral Gables (the "Landlord") entered into a renewal Lease on August 25, 2010 for five (5) years with one five-year renewal option; and

WHEREAS, in 2015, Tenant exercised its renewal option, which expires on August 10, 2020; and

WHEREAS, Landlord and Tenant desire to enter into a new Lease for the Premises for a term of five (5) years with two additional five (5)-year renewal options subject to City Commission approval; and

WHEREAS, Base Rent will be \$33.00 per square foot (PSF) for the first year of the Lease and will escalate at three percent (3%) per year throughout the Lease term; and

WHEREAS, Tenant will have two (2) five-year renewal options exercisable by providing notice to the Landlord of its intent to renew not more than twelve (12) months and no less than six (6) months prior to the expiration of both the initial Lease Term and the first renewal option; and

WHEREAS, the Landlord shall have thirty (30) days to approve or reject Tenant's requests for renewal options with those also being subject to Commission approval; and

WHEREAS, the per square foot (PSF) rate during the first year of each renewal option will be subject to an adjustment of no more than eight percent (8%) over the Base Rent at the end of the initial Lease Term and first renewal period; and

WHEREAS, the two (2) five-year renewal options periods shall include annual increases of three percent (3%) per year; and

WHEREAS, Tenant shall be solely responsible for the installation, operation and maintenance expenses of the Premises, pay its proportionate share, [fifty percent (50%)], of common area maintenance, operating expenses, insurance, all applicable property taxes and Business Improvement District (BID) tax assessments; and

WHEREAS, Tenant shall deposit with Landlord additional funds to raise the current amount held as the Security Deposit (\$14,960.66) to an amount representing the sum of two months' (i) Base Rent, (ii) estimated common area operating costs, (iii) estimated property taxes, and (iv) sales tax (\$46,635.86);

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 Ordinance upon the adoption hereof.

SECTION 2. The City Commission does hereby authorize the City Manager to execute the Lease with Graziano's Gourmet in the Gables, LLC for a renewal period of five (5) years with a two additional five-year renewal options, with City Commission approval, in the form attached hereto as Exhibit "A" in its substantial form as may be modified by the City Manager and City Attorney in order to implement the intent of this Resolution.

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

PASSED AND ADOPTED THIS FOURTEENTH OF JULY, A.D., 2020.

(Moved: Keon / Seconded: Mena)

(Yeas: Lago, Mena, Fors., Keon, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: I-4)

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:


BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


MIRIAM SOLER RAMOS
CITY ATTORNEY