

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2022-_____

**A RESOLUTION OF THE CITY COMMISSION
AUTHORIZING THE DECLARATION OF SURPLUS
AND SALE OF EQUIPMENT AT THE CITY-OWNED
PROPERTY LOCATED AT 2001 GRANADA BLVD.,
CORAL GABLES, FL 33134, PURSUANT TO SEC. 2-879
OF THE PROCUREMENT CODE ENTITLED
“DISPOSAL OF SURPLUS”**

WHEREAS, Robert Maguire dba Granada Snack Shop (Burger Bob’s) (the “Tenant”) leased the premises at 2001 Granada Blvd., Coral Gables, FL 33134 from the City of Coral Gables (the “Landlord”) by virtue of a Concession Agreement dated October 2, 2003, authorized by Resolution No. 2003-150 on August 26, 2003. This Agreement was extended on a month-to-month basis on July 15, 2008, pursuant to Resolution No. 2008-111; Resolution No. 2008-200 on November 18, 2008; Resolution No. 2009-251 on September 8, 2009; Resolution No. 2010-158 on August 24, 2010; and Resolution No. 2014-162 on August 26, 2014; and

WHEREAS, on October 9, 2018, pursuant to Resolution No. 2018-263, Landlord and Tenant entered into a new Lease (the “Lease”) for a period of three years (09/01/2018-08/31/2021); and

WHEREAS, on June 22, 2020, pursuant to Resolution 2020-163, Landlord and Tenant entered into a First Amendment to Lease for Rent Deferment and on February 2, 2021, pursuant to Resolution No. 2021-14, a Second Amendment to Lease granting the Tenant rent deferment and rent reduction; and

WHEREAS, on September 9, 2021, pursuant to Resolution No. 2021-212, Landlord and Tenant entered into a Third Amendment to Lease granting the Tenant a lease term extension (09/01/2021-12/31/21) providing also that the Lease could be further extended on a month-to-month basis thereafter at the discretion of the City Manager; and

WHEREAS, on December 28, 2021, Landlord and Tenant entered into a Fourth Amendment to Lease granting the Tenant a lease term extension (01/01/2022-3/31/22) subject to termination by either Landlord or Tenant by delivery of thirty (30) days’ notice; and

WHEREAS, on January 13, 2022, Tenant provided notice to the Landlord that it will be vacating the property by February 13, 2022; and

WHEREAS, City staff has inventoried and made an assessment of the current equipment located at the Property, which includes a Commercial Fryer, nine (9) tables, eight (8) stools, a Salad Prep Station, thirty-six (36) chairs, and a Commercial Griddle; and

WHEREAS, it has been determined that the equipment has exceeded its usefulness to the City of Coral Gables and should be disposed of in a manner that is in the best interest of the city; and

WHEREAS, the Tenant has expressed interest in purchasing the Commercial Fryer, nine (9) tables, eight (8) stools, a Salad Prep Station, thirty-six (36) chairs, and Commercial Griddle from the City of Coral Gables for a price that will be considered fair and reasonable; and

WHEREAS, City staff has determined that this direct sale is the best approach to directly recover some proceeds before going to auction or otherwise disposing of the surplus equipment in accordance with applicable law; and

WHEREAS, under Section 2-879 of the Procurement Code, entitled "Disposal of Surplus," the Chief Procurement Officer shall be responsible for the sale or disposition of surplus supplies by a method or methods deemed by the Chief Procurement Officer to be most advantageous and in the best interest of the city. The Chief Procurement Officer shall have the authority to sell or dispose of surplus items in any manner authorized by the appropriate Florida Statutes, including F.S. Ch. 274, entitled "Tangible Personal Property Owned by Local Governments." All surplus items with an estimated fair market value of \$25,000.00 or more must be declared surplus by a resolution of the city commission before the Chief Procurement Officer may dispose of said surplus supplies;

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

Section 1. 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 adoption hereof.

Section 2. That the City Commission accepts the recommendation of the City Manager to declare the property as surplus and proceed with the direct sale of a Commercial Fryer, nine (9) tables, eight (8) stools, a Salad Prep Station, thirty-six (36) chairs, and a Commercial Griddle to the Tenant, pursuant to Section 2-879 of the Procurement Code.

Section 3. That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS 25th DAY OF JANUARY 2022.

(Moved by _____, Seconded by _____)
(Passed 0/0 vote)

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY