CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AUTHORIZING A TEMPORARY LICENSE AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND BEN & GUILES, INC., THE SELECTED PROPOSER FOR THE CITY OF CORAL GABLES' POP-UP INCUBATOR PROGRAM WITH REGARD TO THE PREMISES LOCATED AT 290 MIRACLE MILE, CORAL GABLES, FLORIDA 33134, FOR A SIX (6) MONTH INITIAL TERM WITH AN ADDITIONAL SIX-MONTH RENEWAL OPTION AT THE CITY MANAGER'S DISCRETION

WHEREAS, on November 12, 2019, the Economic Development Department (the "Department") presented the Pop-Up Incubator Program (the "Program") to the City Commission; and

WHEREAS, the Program would be advertised, proposal/applications received would be reviewed by a selection committee, and a tenant selected to occupy the 290 Miracle Mile, Coral Gables, FL 33134 city-owned space (the "Premises") using a temporary license agreement; and

WHEREAS, the City of Coral Gables (the "Landlord") would allow for a six-month term, with a six-month renewal option at the City Manager's discretion; and

WHEREAS, the Program's presentation was well-received by the City Commission and the Department proceeded to hold the advertisement/tenant selection process; and

WHEREAS, on December 10, 2019, the Department presented the selected/proposed tenant to the City Commission and proceeded to enter into negotiations for a temporary license agreement, but, due to the COVID-19 pandemic, the proposed tenant decided not to proceed with the Program; and

WHEREAS, in October of 2020, the Landlord participated in the Business Improvement District (BID) Art on the Mile Program, and allowed for Boston Art, LLC dba Ninoska Huertas Gallery (the "Gallery") to occupy the space during the 2020 Holiday Season; and

WHEREAS, the Gallery subsequently remained in the space entering into short-term temporary license agreements (60-90 days each) with the Landlord, while the Department assessed having another Program advertisement/selection process; and

WHEREAS, on July 23, 2021, the Department advertised the Program for sixty (60) days. Six (6) proposals were received, but only four (4) were considered, because two (2) of the proposers chose to withdraw their applications; and

WHEREAS, a selection committee composed by Chamber of Commerce Executive Director Mark Trowbridge, Business Improvement District Executive Director Aura Reinhardt, City of Coral Gables Retail Consultant Midge McCauley, and Assistant Economic Development Director Belkys Perez reviewed the proposals and selected Ben & Guiles, Inc as the proposed tenant (the "Tenant"); and

WHEREAS, Landlord and Tenant are therefore seeking authorization to execute the Temporary License Agreement with lease terms that include $2,000 in monthly rent, a $2,000 security deposit, and a six-month lease term (December 1, 2021- May 31, 2022);

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 City Commission does hereby authorize the City Manager to execute the Temporary License Agreement in substantial form attached hereto as Exhibit "A" with any changes 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 extend a six-month lease term renewal (June 1, 2022 - December 31, 2022) to the Tenant at the City Manager's discretion.

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

PASSED AND ADOPTED THIS NINTH DAY OF NOVEMBER, A.D., 2021.

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

APPROVED:

                                             VINCE LAGO
                                             MAYOR

ATTEST:

                                             APPROVED AS TO FORM
                                             AND LEGAL SUFFICIENCY

BILLY Y. URQUIA
CITY CLERK

                                             MIRIAM SOLER RAMOS
                                           CITY ATTORNEY