

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2024-48

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AUTHORIZING A THIRD AMENDMENT TO THE TEMPORARY LICENSE AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND BEN & GIULES, INC., WITH REGARD TO THE PREMISES LOCATED AT 290 MIRACLE MILE, CORAL GABLES, FLORIDA 33134, EXTENDING THE TERM FOR TWELVE (12) MONTHS (APRIL 1, 2024-MARCH 31, 2025) AND INCREASING THE LICENSE FEE TO \$3,500.00 PER MONTH.

WHEREAS, on November 12, 2019, the Economic Development Department (the “Department”) presented the Pop-Up Incubator Program (the “Program”) for 290 Miracle Mile to the City Commission; and

WHEREAS, on July 23, 2021, the Program was advertised for sixty (60) days, a selection committee reviewed the four (4) proposals/applications that were received, and Ben & Guiles, Inc. (the “Licensee”) was selected; and

WHEREAS, pursuant to Resolution No. 2021-326, on November 6, 2021, the City and Licensee entered into a temporary license agreement (the “Agreement”) with license terms that included a \$2,000.00 per month License Fee, a \$2,000.00 Security Deposit, a six-month lease term (December 1, 2021- May 31, 2022), and an additional six-month renewal term (June 1, 2022 - November 30, 2022) at the City Manager’s discretion; and

WHEREAS, pursuant to Resolution No. 2022-73, on May 2, 2022, Licensor and Licensee amended the Agreement to extend the term for an additional ten (10) months, commencing on June 1, 2022, through March 31, 2023, subject to all terms and conditions set forth in the Agreement; and

WHEREAS, pursuant to Resolution No. 2023-18, on February 3, 2023, Licensor and Licensee amended the Agreement to extend the term for an additional twelve (12) months, commencing on April 1, 2023, through March 31, 2024, subject to all terms and conditions set forth in the Agreement; and

WHEREAS, the Licensee has requested to extend the Term of the Agreement for an additional twelve (12) months, commencing on April 1, 2024 through March 31, 2025 (the “Extension Term”), with license terms that include a License Fee increase to \$3,500.00 per month, a security deposit increase to \$3,500.00, subject to all terms and conditions set forth in the Agreement; and

WHEREAS, the City Commission desires to extend the Term of the Agreement for an additional twelve (12) months, increase the License Fee \$3,500.00 per month during the Extension Term, and increase the Security Deposit to \$3,500.00, subject to all terms and conditions set forth in the Agreement;

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 Amendment to 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 this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF MARCH, A.D., 2024.
(Moved: Fernandez / Seconded: Anderson)
(Unanimous Voice Vote)
(Agenda Item: D-4)

APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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CRISTINA M. SUAREZ
CITY ATTORNEY