



City of Coral Gables
CITY COMMISSION MEETING
January 25, 2022

ITEM TITLE:

Resolution. A Resolution of the City Commission authorizing the declaration of surplus and sale of equipment at the City-owned property located at 2003 Granada Blvd., Coral Gables, FL 33134, pursuant to Sec. 2-879 of the Procurement Code entitled “Disposal of Surplus.”

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

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

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

On January 13, 2022, Tenant provided notice to the Landlord that it will be vacating the property by February 13, 2022. 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. City staff has 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.

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 a Commercial Griddle from the City of Coral Gables for a price that will be considered fair and reasonable. 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.

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.

The City Manager is recommending that the City Commission authorize the City to proceed with the direct sale of the 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.

LEGISLATIVE ACTION:

| Date. | Resolution/Ordinance No. | Comments |
|------------|--------------------------|---|
| 8/26/14 | Resolution No. 2014-162 | Lease Renewal Approval |
| 8/24/2010 | Resolution No. 2010-158 | Three (3)-year with one-year option |
| 9/8/09 | Resolution No. 2009-251 | One Year Renewal |
| 11/18/08 | Resolution No. 2008-200 | One Year Renewal |
| 7/15/08 | Resolution No. 2008-111 | Changed Lease to Month to Month |
| 8/26/03 | Resolution No. 2003-150 | Authorization to enter into three (3)-year lease with 2 renewal terms |
| 10/9/18 | Resolution No. 2018-263 | Three-year Lease Agreement with a one-year renewal term |
| 06/09/20 | Resolution No. 2020-163 | First Amendment to Lease |
| 01/26/2021 | Resolution No. 2021-14 | Second Amendment to Lease |
| 07/13/21 | Resolution No. 2021-198 | Lease Extension Negotiation |
| 08/24/21 | Resolution No. 2021-212 | Third Amendment to Lease |

FINANCIAL INFORMATION: (If Applicable)

| No. | Amount | Source of Funds |
|-----|--------|-----------------|
| N/A | | |

ATTACHMENT(S):

- 1. Draft Resolution.**