

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2018-187

A RESOLUTION RENEWING THE PARKING LEASE AGREEMENT WITH THE UNIVERSITY OF MIAMI FOR MUNICIPAL PARKING LOTS 42 AND 43 FOR AN ADDITIONAL TWELVE (12) MONTHS BEGINNING SEPTEMBER 1, 2018, AND ENDING AUGUST 31, 2019, AT THE RATE OF \$72,658.31 ANNUALLY, PAYABLE IN EQUAL MONTHLY INSTALLMENTS.

WHEREAS, as authorized by Resolution 2003-120, the City of Coral Gables and the University of Miami entered into a lease agreement for Municipal Lots 42 and 43 dated July 28, 2003, for one year; and

WHEREAS, the existing lease agreement provides for annual extensions based on mutual agreement of the parties and lease rate increases proportional to City parking permit rate increases; and

WHEREAS, the parties have by mutual agreement extended annual terms from year to year from September 1, 2004 to August 31, 2014, as authorized by Resolution No. 2009-210 dated July 29, 2009, Resolution No. 2010-158 dated August 24, 2010, Resolution No. 2011-146 dated July 19, 2011, Resolution No. 2012-150 dated August 28, 2012, Resolution No. 2013-175 dated August 27, 2013, Resolution No. 2014-175 dated August 26, 2014, Resolution No. 2015- 160 dated August 25, 2015; and Resolution No. 2016-165 dated July 26, 2016; Resolution No. 2017-163 dated July 11, 2017; and

WHEREAS, the Tenant desires to renew its lease for an additional year with a 30-day termination notice by either party, from September 1, 2018 to August 31, 2019, with all other terms and condition in the lease agreement remaining the same; and

WHEREAS, the lease rate will increase from \$68,805.22 to \$72,658.31 subject to the provisions of the lease agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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 Lease Renewal with such modifications to the form attached hereto as Exhibit "A" 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 TENTH DAY OF JULY, A.D., 2018.
(Moved: Quesada / Seconded: Lago)
(Unanimous Voice Vote)
(Agenda Item: D-7)

APPROVED:

A handwritten signature consisting of a large, stylized letter 'W' enclosed within a circle.

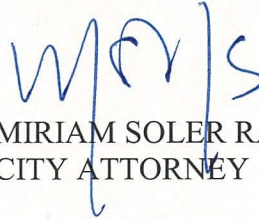
RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read 'Walter J. Foeman'.

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read 'Miriam Soler Ramos'.

MIRIAM SOLER RAMOS
CITY ATTORNEY

**AMENDMENT# 10 TO LEASE AGREEMENT WITH THE UNIVERSITY OF
MIAMI FOR MUNICIPAL PARKING LOTS 42 AND 43**

This AMENDMENT TO THE LEASE AGREEMENT WITH THE UNIVERSITY OF MIAMI ("Amendment") is made and entered into this ____ day of August 2018, by and between The City of Coral Gables ("City") and the University of Miami ("University"), Coral Gables, Florida.

RECITALS

A. The City and the University have previously entered into a Lease Agreement dated July 28, 2003, as amended by the Amendments dated August 26, 2009; August 24, 2010; July 19, 2011; August 31, 2012; August 31, 2013, August 31, 2014, August 31, 2015, August 31, 2016, and October 3, 2017 (collectively "the Agreement") whereby the University leased portions of parking lots 42 and 43 from the City to be used for the short-term parking and long-term parking of vehicles associated with the University.

B. The initial term of the Agreement was one (1) year with provision for annual extensions based on mutual consent of the parties.

C. The Agreement has been extended pursuant to its terms on a yearly basis and presently expires on August 31, 2018.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, agree as follows:

1. **INCORPORATION OF RECITALS.** The foregoing recitals are true and correct and are incorporated herein. All terms used herein shall have the meaning ascribed to such terms in the Agreement, unless defined otherwise herein.

2. **TERM.** The parties hereby acknowledge that the Agreement defined in Recital A above will expire August 31, 2018, and provides for an extension upon mutual agreement of the parties. In connection therewith, the parties agree to a one-year extension of the Agreement for an additional period from September 1, 2018, through and including August 31, 2018 (the "Extended Term"), unless terminated earlier as provided for in the Agreement, or terminated by either party for any reason upon at least thirty (30) days' notice to the other party, provided that all other terms of the Agreement will remain in effect until the effective date of the termination.

3. **RATE.** The parties agree that the lease rate for this extended term shall be Sixty Eight Thousand Eight Hundred Five and 22/100 Dollars (\$72,658.31) annually, payable in equal monthly installments of Five Thousand Seven Hundred Thirty-Three and 77/100 Dollars (\$6,054.86) to the City, subject to section 3.2 of the Agreement.

IN WITNESS WHEREOF, the parties hereto have signed, sealed and delivered this Lease at Miami-Dade County, Florida, as of the day and year first above written.

LANDLORD:

CITY OF CORAL GABLES, a
municipal corporation of the
State of Florida

ATTEST:

By: _____
Cathy Swanson-Rivenbark
City Manager

By: _____
Walter Foeman
City Clerk

Approved as to form and legal
sufficiency:

By: _____
Miriam L Ramos
City Attorney

TENANT:

ATTEST/WITNESS:

APPROVED BY:

Parking Director	Risk Management	Procurement

IN WITNESS WHEREOF, the parties hereto have signed, sealed and delivered this Lease at Miami-Dade County, Florida, as of the day and year first above written.

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ATTEST:

By: _____
Cathy Swanson-Rivenbark
City Manager

By: _____
Walter Foeman
City Clerk

Approved as to form and legal
sufficiency:

By: _____
Miriam L Ramos
City Attorney

TENANT:

ATTEST/WITNESS:

APPROVED BY:

Parking Director	Risk Management	Procurement