

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2016-33

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO A LEASE WITH STARBUCKS CORPORATION WITH REGARD TO CITY OWNED PROPERTY AT 292 MIRACLE MILE, CORAL GABLES, FLORIDA FOR A PERIOD OF TEN (10) YEARS WITH FOUR (4) CONSECUTIVE FIVE-YEAR RENEWAL OPTIONS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Starbucks Corporation, a Washington Corporation (the "Tenant"), desires to lease the City owned property located at 292 Miracle Mile, Coral Gables, FL 33134; and

WHEREAS, the Tenant proposes a lease with the following terms: a ten-year term; four rights to renew for five years each; Tenant may terminate with 120 days written notice after the 60th full calendar month of the term for a fee of \$100,000; no security deposit; a three-month rent abatement after a 120 day build out period; improvements of approximately \$800,000; base rent of \$45.00 PSF for the first five (5) years and escalating to \$49.50 PSF the second five (5) years, with four (4) consecutive five-year renewal options starting at \$69.58 PSF during the first five (5) years of the renewal period, escalating to \$80 PSF the second five (5) years and market rate for the final two five-year renewal options; right to assign to a controlled affiliate, payment of all maintenance, insurance and real estate taxes by Tenant, and a 4% brokerage fee in the amount of \$45,563 to be paid to the Shopping Center Group; and

WHEREAS, the Economic Development Board, the Budget & Budget/Audit Advisory Board and the Property Advisory Board all reviewed the proposed terms and recommended that the City enter into the Lease on the terms set forth in the above whereas clause, at their meetings on September 16, 2016, October 7, 2015 and September 17, 2015, respectively;

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 Ordinance upon the adoption hereof.

SECTION 2. That the Lease is hereby approved in substantially the form attached hereto as Exhibit "A."

SECTION 3. The City Commission does hereby authorize the City Manager to execute the Lease with the Tenant with such modifications to the forms 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 Ordinance.

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

PASSED AND ADOPTED THIS FOURTEENTH DAY OF JUNE, A.D., 2016.
(Moved: Lago / Seconded: Quesada)
(Yeas: Keon, Lago, Quesada, Slesnick, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-2)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER L. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



CRAIG E. LEEN
CITY ATTORNEY