

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-29

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CORAL GRAND, LLC, FOR THE LONG-TERM MANAGEMENT AND OPERATIONS OF A CITY-OWNED FACILITY AT 997 NORTH GREENWAY DRIVE, ALSO KNOWN AS "THE COUNTRY CLUB OF CORAL GABLES", WITH THE LEGAL DESCRIPTION OF LOTS 1-9 AND 37-39, BLOCK 32, SECTION "B" INCLUDING THE TENNIS COURTS WITH THE LEGAL DESCRIPTION OF THAT PORTION OF THE GRANADA GOLF COURSE THAT IS APPROXIMATELY 130 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF SOUTH GREENWAY DRIVE AND 336 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF GRANADA BOULEVARD, WHICH IS NOW OCCUPIED AND USED AS SIX (6) TENNIS COURTS AND A TENNIS CLUB HOUSE.

WHEREAS, on June 21, 2001, the City of Coral Gables entered into a Management Agreement with The Country Club of Coral Gables, Inc., a Florida Not for Profit Corporation, for the management of the Country Club. This entity subsequently entered into an operating agreement with Granada, LLC. The City now finds itself in search of a new operator to lease the facility; and

WHEREAS, on June 3, 2008, the City Commission authorized the drafting of a competitive Request For Qualifications and Proposals for the long-term management, operations and lease of The Country Club of Coral Gables; and

WHEREAS, on June 10, 2008, per Resolution 2008-84, the City of Coral Gables extended invitations to qualified managers and operators who demonstrated experience in operating facilities like those found at 997 North Greenway Drive which include banquet facilities, restaurant and club dining, meeting space, and recreational offerings (spa, fitness center, pool, etc.) to lease the facility; and

WHEREAS, on July 31, 2008, two proposals were received with one being judged insufficient and disqualified. Liberty Events, LLC, was forwarded to the Country Club of Coral Gables RFP Evaluation Committee for their consideration and recommendation based on established criteria stated in the City RFP; and

WHEREAS, on October 14, 2008, the City Commission accepted the recommendation and conditions of the Country Club of Coral Gables RFP Evaluation Committee per Resolution No. 2008-162 and authorized the drafting of a Lease Agreement; and

WHEREAS, on December 16, 2008, the City Commission, per Resolution No. 2008-216, authorized the City Manager to execute the non-binding Letter of Intent which outlined specific business terms and conditions; and

WHEREAS, the City's negotiation team together with Liberty Events, drafted a lease agreement incorporating the terms and conditions of the non-binding Letter of Intent and added additional provisions and terms appropriate for a long-term land lease which has been generally presented to the City's Budget Advisory Board, Property Advisory Board and the Economic Development Board; and

WHEREAS, on February 24, 2009 a draft Lease Agreement and Ordinance was adopted by the City Commission on First Reading; and

WHEREAS, on March 4, 2009, the Economic Development Board, further reviewed the draft Lease Agreement; and

WHEREAS, on March 18 and April 15, 2009, the Property Advisory Board, further reviewed the draft Lease Agreement and provided input; and

WHEREAS, Liberty Events, LLC has relinquished any interest or claim with regard to the proposal submitted to the City involving the Lease of the Coral Gables Country Club as referenced in City RFP; and

WHEREAS, the City's Special Counsel has reviewed the organizational documents of Coral Grand, LLC, and found them to be substantially identical to the organizational documents of Liberty Events, LLC, except that the minority partner in Liberty Events LLC, is no longer an investor in Coral Grand, LLC, which is the proposed tenant under the Lease Agreement with the City, and

WHEREAS, the City has finalized negotiations with Coral Grand, LLC, generally consistent with the terms and conditions set forth in the draft Lease Agreement presented on February 24, 2009 and Ordinance approved by the City Commission on First Reading.

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 adoption hereof.

SECTION 2. That the City of Coral Gables does hereby execute a Lease Agreement with Coral Grand LLC, for the long-term management of the Country Club of Coral Gables (997 North Greenway Drive).

SECTION 3. That this Ordinance, along with the Lease Agreement is subject to the approval by the City Attorney.

SECTION 4. This Ordinance shall become effective ten (10) days after final reading and adoption thereof.

PASSED AND ADOPTED THIS FOURTH DAY JUNE, A.D., 2009.

(Moved: Withers / Seconded: Anderson)

(Yea: Withers, Anderson, Cabrera, Kerdyk, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: E-1)

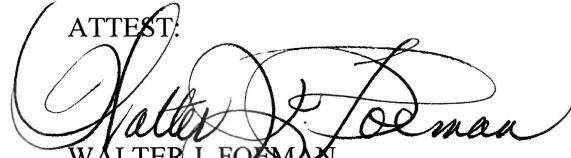
APPROVED:


DONALD D. SLESNICK II
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


ELIZABETH M. HERNANDEZ
CITY ATTORNEY

ATTEST:


WALTER J. FOEMAN
CITY CLERK