



**City of Coral Gables  
CITY COMMISSION MEETING  
SEPTEMBER 28, 2010**

**ITEM TITLE:**

Resolution authorizing the City Attorney to proceed with filing an action for breach of contract against Merrick Trust, LLC for its failure to pay its annual fee for reimbursement of nine (9) on-street parking spaces for the 2010 fiscal year; and further authorizing the City Attorney to take all action necessary to represent the interests of the City.

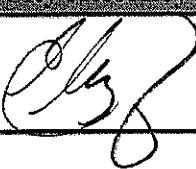
**DEPARTMENT HEAD RECOMMENDATION:**

APPROVAL.

**BRIEF HISTORY:**

Merrick Trust, LLC has a commercial mixed-use property in the City. As a result of the approval of the commercial mixed-use project in 2003, nine (9) on-site parking spaces were removed in connection with the project. Pursuant to City Code, Section 74-140(a), parking meter removals must be compensated to the City through reimbursement for revenues that would otherwise be generated by the parking meters. The total per parking space for the 2010 fiscal year was \$2,332.44 for a total due and owing of \$18,659.52. The City has attempted on several occasions to resolve this matter with the Company, to no avail. Therefore, the City Attorney seeks authority from the City Commission to file an action for breach of contract.

**APPROVED BY:**

City Attorney	City Manager
	

Attachments

1. Resolution