

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2015-

A RESOLUTION AUTHORIZING RATIFICATION OF AN AMENDMENT TO THE SETTLEMENT AGREEMENT WITH AZUL AND COMPANY, INC., MARIA J. DE CAIRES AND OSCAR MURPHY WITH REGARD TO CITY-OWNED PROPERTY AT 4520 PONCE DE LEON BLVD, CORAL GABLES, FL. (*PASSPORT RELOCATION OFFICE*)

WHEREAS, Azul and Company, Inc. (the “Tenant”), a tenant at 4520 Ponce De Leon Blvd. pursuant to a lease dated September 5, 2012 (the “Lease”), as authorized by Resolution No.2012-22, entered into a Settlement and Release Agreement with the City dated May 5, 2015 (“Agreement”), as authorized by Res. No. 2015- 77; and

WHEREAS, under the Agreement, the business, which operates as a furniture store, general contractor and interior design company, will vacate the premises as of July 31, 2015, and the City plans to use the property for City business, which will include passport operations; and

WHEREAS, the proposed Resolution would amend the Agreement to add a subsection whereby the Tenant agrees to provide construction management services for renovation of the interior of the Premises and have full responsibility for entering into a construction contract with a duly licensed Florida general contractor (the “General Contractor”) for construction pursuant to the plans provided by the City; and

WHEREAS, staff believes that the Tenant’s unique situation will help to reduce costs and expedite the project; and

WHEREAS, under the Amendment, the City shall be responsible, at its sole cost and expense, for the preparation of all plans and specifications for the build out (the “Plans”); have reasonable approval over selection of the General Contractor, and shall have approval in its sole discretion over the cost of build out.

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 Resolution upon the adoption hereof.

SECTION 2. The Amendment to the Settlement Agreement between the City of Coral Gables, Azul and Company, Inc. and Guarantors is hereby approved (the “First Amendment to Settlement and Release Agreement”) in substantially the form attached hereto as Exhibit “A”.

SECTION 4. That the City Commission does hereby authorize the City Manager to execute the Amendment to the Settlement and Release Agreement with such modifications

from the terms as may be approved by the City Manager and City Attorney and are necessary to implement the intent of this Resolution.

SECTION 5. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS SIXTEENTH DAY OF JUNE, A.D., 2015.

(Moved: / Seconded:)

(Yeas: / Nays:)

(Vote:)

(Agenda Item:)

APPROVED:

JIM CASON
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

WALTER J. FOEMAN
CITY CLERK

CRAIG LEEN
CITY ATTORNEY