

CITY OF CORAL GABLES, FLORIDA

RESOLUTION No.

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTION OF AN AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT BETWEEN THE PALACE MANAGEMENT GROUP, LLC AND THE CITY OF CORAL GABLES, DATED JULY 14, 2008.

WHEREAS, the Palace Management Group LLC (the “Palace Group”) has requested that the City amended the Lease and Development Agreement, dated July 14, 2008; and

WHEREAS, the proposed amendment extends the Developer’s schedule by one year; and

WHEREAS, this amendment further authorizes the City Manager at his sole and exclusive discretion to grant up to a 6 months extension of time for compliance; and

WHEREAS, this amendment will provide for a Management Agreement for the City’s use of the parking lot adjacent to Melody Inn and the City Parking facility for public parking, until such time that the Developer provides notice on commencement of construction of each facility; and

WHEREAS, on March 10, 2009 this amendment was introduced to the City Commission postponing possession date (construction commencement) and ultimately the project opening by approximately one year. The delay is exclusively due to the difficulty in obtaining construction financing; and

WHEREAS, on November 12, 2007 the City Commission, after a detailed presentation approved an Ordinance authorizing the City Manager to execute a lease and Development Agreement with the Palace Management Group, LLC for the development of a Senior Housing Development and for the development of Municipal Parking Garage No. 5.

NOW, THEREFORE, BE IT DULY 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 adoption hereof.

SECTION 2. That the City Commission of the City of Coral Gables authorizes the City Manager to execute an amendment to the Lease and Development Agreement between the Palace Group, LLC and the City of Coral Gables, dated July 14, 2008, in particular Exhibit "G" entitled "Developer's Schedule."

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein, subject to the approval by the City Attorney.

PASSED AND ADOPTED THIS SECOND DAY OF JUNE, A.D., 2009.

APPROVED:

DONALD D. SLESNICK, II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY