

**PARKING ADVISORY BOARD ITEM**  
**TERMINATION OF EXISTING LEASE AND ENTERING INTO A NEW LEASE**  
**WITH CORAL GABLES CONGREGATION CHURCH, INC.**  
**SEPTEMBER 22, 2021**

The Economic Development Department will be presenting an Ordinance on first reading for City Commission approval at the October 26, 2021- City Commission meeting. The Ordinance is requesting authorization to terminate the existing Lease and enter into a new Lease with Coral Gables Congregational Church, Inc., a Florida non-profit corporation, for the surface parking lot within the platted right-of-way bounded on the north by Malaga Avenue, on the south by Anastasia Avenue, on the east by De Soto Boulevard, and on the west by Columbus Boulevard, for a period of five (5) years and with two (2) additional, 5-year renewal options, at the City’s discretion. **City Staff recommends approval.**

Pursuant to the requirements of **Division 12 of the Procurement Code, Section 2-1094 -Analysis for Purchase, Sale or Lease of City Property-** the proposed Ordinance is being presented to the Parking Advisory Board for its recommendation to the City Commission.

**BRIEF HISTORY AND PROPOSED NEW LEASE TERMS:**

Pursuant to Resolution No. 26231 (adopted on July 21, 1987), on February 2, 1989, the City of Coral Gables (the “Landlord”) and Coral Gables Congregational Church (the “Tenant”) entered into a Lease Agreement (the “Existing Lease”) for the surface parking lot within the platted right-of-way bounded on the north by Malaga Avenue, on the south by Anastasia Avenue, on the east by De Soto Boulevard, and on the west by Columbus Boulevard (the “Premises”). The Existing Lease term was for ten (10) years and provided for ten (10) additional 5-year renewal options.

Pursuant to the Lease renewal options, Landlord and Tenant renewed the Lease on February 2, 1999 (1<sup>st</sup> option). Lease renewals also occurred pursuant to Resolution No. 2005-71, adopted April 26, 2005 (2<sup>nd</sup> Option), and to Resolution No. 09-0463, adopted July 7, 2009 (3<sup>rd</sup> Option). Landlord and Tenant also renewed the Lease on February 2, 2014 (4<sup>th</sup> Option) and February 2, 2019 (5<sup>th</sup> Option) pursuant to shared correspondence.

In 2019, Tenant notified Landlord of its intent to reseal and restripe the surface parking lot at the Premises (the “Tenant’s Work”) and Landlord determined that in order to perform Tenant’s Work and abide by Miami-Dade County Ordinance No. 01-196, lighting would need to be installed (the “Landlord’s Work”) on the Premises. Landlord also determined that the existing Lease pertained to Premises that consist of platted right-of-way, and as such, lacked the necessary right of termination and appropriate use and occupancy provisions required by applicable law. As such, Landlord and Tenant are requesting authorization to terminate the Existing Lease and enter into a new Lease with the following terms and provisions:

- Term and Renewals: Initial Five (5) year term with two (2) additional, 5-year renewal options, at the City’s discretion.
- Rent and Escalations: \$1,200 increasing at 3% per year throughout initial term and renewals.
- Landlord’s Work: Landlord will install lighting on the Premises at its cost and expense. (Initial Installation Cost-\$3,404.71; \$354.65 monthly electricity cost thereafter).

- Tenant's Work: Tenant shall reseal and restripe the surface parking lot at the Premises and upon completion of Tenant's Work (not to exceed \$2,800.00), Landlord will deduct \$200.00 from the monthly rent until the Tenant's Work \$2,800.00 is reimbursed in full.
- Right of Termination: Landlord shall have the right to terminate this Lease, for any necessary reason upon at least sixty (60) days written notice to Tenant, or sooner if the termination is deemed urgent by Landlord.
- Use and Occupancy: Tenant acknowledges that Tenant's use and occupancy of the Premises for a public purpose are a material inducement for Landlord to lease the Premises to Tenant. The Tenant will use and occupy the Premises for the no other use or purpose that the public use as a surface parking lot for Tenant's visitors and/or employees.

**Aerial View of the Parking Area:**



Pursuant to the requirements of **Division 12 of the Procurement Code, Section No. 2-1094 - Analysis for Purchase, Sale or Lease of City Property**, the proposed Ordinance will also be presented to:

- The Economic Development Board on September 1, 2021, for its recommendation to the City Commission.
- The Property Advisory Board on September 8, 2021, for its recommendation to the City Commission.
- The Budget and Audit Advisory Board on October 6, 2021, for its recommendation to the City Commission.