

ORDINANCE NO.

ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR A TEN-YEAR PERIOD, PLUS OPTIONS, WITH CORAL GABLES CINEMATEQUE, INC. FOR 3,858 sq. ft. PLUS 1,922 SQ. FT. OF A PRIVATE MEZZANINE, IN THE WESTERNMOST 60 LINEAR FEET OF THE CITY OF CORAL GABLES PARKING GARAGE LOCATED AT 250 ARAGON AVENUE, KNOWN AS THE MUSEUM GARAGE, WITH THE LEGAL DESCRIPTION OF *CORAL GABLES SEC K PB 8-33 LOTS 10 THRU 20, BLOCK 37*. THE SPACE WILL HAVE A RETAIL ADDRESS OF 260 ARAGON AVENUE AND WILL BE USED A NON-PROFIT ART CINEMA AND CULTURAL FACILITY.

WHEREAS on December 16, 2005 an RFP was issued requesting proposals from nonprofit arts groups for the long-term management of the 4,220 sq. ft. cultural space (260 Aragon Avenue) in the City's Museum Parking Garage as an art cinema; and

WHEREAS a response to the RFP was received from Coral Gables Cinemateque, Inc., which proposal, including the request that the City provide the space as a "vanilla shell," was recommended to the City Commission by the Cultural Development Board; and

WHEREAS this City Commission at its meeting of April 18, 2006, under Resolution No. 2006-65, accepted the recommendation of the Cultural Development Board and authorized the City Manager to enter into preliminary negotiations with the nonprofit Coral Gables Cinemateque, Inc., regarding use of the space as an Art Cinema, to operate the theater and provide year-round programming; and

WHEREAS the funding to deliver the space to Coral Gables Cinemateque as a "vanilla shell," was originally estimated at \$500,000, which would have come from \$250,000 from the FY2007/2008 CIP fund and \$250,000 from the Coral Gables Community Foundation (Harry and Mary Perrin Fund)

WHEREAS the Public Works bids came in higher than estimated and were rebid resulting in a revised amount of \$535,343 with the additional \$35,343 being paid for by Coral Gables Cinemateque; and

WHEREAS technical buildout and equipment will be donated by International Cinema Equipment and MAGNA-TECH, leaders in the cinema equipment industry, in an in-kind amount of \$400,000; and

WHEREAS the project, initiated by the City of Coral Gables Cultural Development Board to provide a venue that would further energize the City's cultural prominence, has received

enthusiastic support from individuals and cultural groups including the Miami-Dade County Department of Cultural Affairs; George Neary (Vice President of Cultural Tourism at the Greater Miami Convention and Visitors Bureau); Sam Grogg (Dean, UM School of Communications); Carol Ann Lafferty (former Director of the Miami International Film Festival); Mitch Kaplan (Books & Books); several consulates and foreign cultural offices; and area businesses; and

WHEREAS the proposed cinema would be an adaptive re-use ideally situated in the heart of downtown Coral Gables; and

WHEREAS the City Commission at its meeting of May 22, 2007, by Resolution 2007-89 authorized the City Manager to commence negotiations with Coral Gables Cinemateque, Inc. for management of an art cinema in the Museum Garage and to bring back a management agreement for Commission consideration; and

WHEREAS the City Attorney requested a Lease Agreement be prepared in lieu of a Management Agreement to better reflect the nature of the transaction; and

WHEREAS Coral Gables Cinemateque, Inc. and City staff have together negotiated a recommended Lease Agreement for Commission consideration;

WHEREAS per the City's Procurement Code the Property Advisory Board, Economic Developmenet Board and Budget Advisory Board were presented with draft copies of the lease for review and comment and additional briefings were held with the IACC, Chamber of Commerce Board of Directors, Coral Gables Museum Board and other interested groups; and

WHEREAS, at the request of the City Commission, the Coral Gables Cinemateque Business Plan to be presented at second reading and found to be sufficient for the City Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. 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. The City Manager is hereby authorized to execute a Lease Agreement with Coral Gables Cinemateque, Inc., for management of an Art Cinema in the Museum Garage located at 250 Aragon Avenue, with a retail address of 260 Aragon Avenue.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2008.

APPROVED:

DONALD D. SLESNICK, II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM:

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

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