

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION 2025-**

A RESOLUTION OF THE CITY COMMISSION APPROVING A DEVELOPMENT MANAGEMENT AGREEMENT WITH PONCE PARK RESIDENCES, LLC REGARDING ENHANCEMENTS TO FRED B. HARTNETT PONCE CIRCLE PARK AND CERTAIN ROADWAY IMPROVEMENTS AND WAIVING THE COMPETITIVE PROCESS OF THE PROCUREMENT CODE PURSUANT TO SECTION 2-691 “SPECIAL PROCUREMENT/BID WAIVER” OF THE CITY’S PROCUREMENT CODE.

**WHEREAS**, in May of 2024 the City Commission adopted Resolution 2024-107 approving a mixed-use site plan and encroachment review for a proposed mixed-use project referred to as Ponce Park Residences; and

**WHEREAS**, as proffered by Ponce Park Residences, LLC, then the Applicant, one of the conditions of that approval was a contribution of no less than two million dollars toward the funding of planned roadway improvements surrounding Fred B. Hartnett Ponce Circle Park and improvements to the park itself along with a proffer from the Applicant to construct those planned improvements; and

**WHEREAS**, Resolution 2024-107 also contemplated Commission approval of a construction and reimbursement agreement between the City and Applicant which would include terms regarding the process for finalizing the design of the park improvements, reimbursement terms, and general coordination of the project; and

**WHEREAS**, under Section 2-691 of the Procurement Code, entitled “Special Procurement/Bid Waiver,” a special procurement may be initiated when an unusual or unique circumstance exists that makes the application of all requirements of the competitive solicitation process contrary to the public interest; and

**WHEREAS**, the City Commission has determined that it is in the best interest of the City to enter into a development agreement with Ponce Park Residences, LLC to construct and oversee these planned improvements given that the Ponce Park Residences, is adjacent to the planned improvements, and the construction of the mixed-use project provides an opportunity to coordinate the construction efforts and Ponce Park Residences, LLC has proffered to fund a portion of those improvements; and

**WHEREAS**, the City and Ponce Park Residences, LLC have come to an agreement on a development management agreement addressing the process for final design approval of the improvements to Fred B. Hartnett Ponce Circle Park, along with details regarding the City and Ponce Park Residences, LLC’s obligations, rights, and responsibilities related to the planned roadway and park improvements.

**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 adoption hereof.

**SECTION 2.** The City Commission does hereby authorize the City Manager and City Attorney to execute a development management agreement with Ponce Park Residences, LLC in substantially the attached form as a “Special Procurement/Bid Waiver,” pursuant to Section 2-691 of the Procurement Code including any modifications as may be approved by the City Attorney and City Manager consistent with the intent of this Resolution.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2025.

(Moved: \_\_\_\_ / Seconded: \_\_\_\_)

(Yeas:)

(Unanimous:)

(Non-Agenda Item)

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ  
CITY ATTORNEY