

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2022-291

A RESOLUTION OF THE CITY COMMISSION PROVIDING A FINAL OPPORTUNITY TO THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES TO COMMIT TO EXECUTING CERTAIN EVENTS, FAILING WHICH THE EFFECTIVE DATE OF THE DISSOLUTION OF THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES SHALL BE MOVED TO NOVEMBER 18, 2022.

WHEREAS, on October 11, 2022, pursuant to Resolution No. 2022-234, the City Commission dissolved the Business Improvement District of Coral Gables (the "BID") effective upon the earlier of December 31, 2022, or the date upon which all assets of the BID have been exhausted or transferred to the City; and

WHEREAS, the BID was authorized to continue in existence until such dissolution date "for the sole purpose of winding down the affairs of the BID, performing under any existing contracts, and executing [the BID Events listed in Section 5 of Resolution No. 2022-234];" and

WHEREAS, Resolution No. 2022-234 expressly states, among other things, that "except as required to effectuate the BID Events, the BID shall not enter into any contracts or agreements without the express written consent of the City," and

WHEREAS, while the BID purchased and installed the "Pumpkin arch", it did not execute Halloween on the Mile and has communicated to the City that it will "allow the City to take the lead in planning the events for the remainder of the year while the BID continues to focus on advocacy, marketing, and public relations," but requested that the events be presented as a joint City/BID production with the BID intending to market them as such; and

WHEREAS, on November 10, 2022, the City Commission was provided an update on communications between the City and the BID; and

WHEREAS, the City Commission prefers that the BID execute the BID events and therefore, wishes to give the BID another opportunity to confirm that will execute such events, failing which the dissolution date shall be moved to November 18, 2022; and

WHEREAS, to the extent that the City executes any of the BID events, to the extent that the BID submits sufficient documentation of funds and/or resources expended toward particular events, without waiving any of its rights, claims, or defenses, the Commission agrees with presenting such events as joint City/BID events;

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. That the City Attorney is directed to correspond with the BID and provide a deadline of Monday, November 14, 2022 for the BID to confirm it will execute the remaining 2022 BID events. If the BID does not provide such confirmation, the BID shall automatically dissolve on November 18, 2022.


SECTION 3. That the City does not, and nothing in this Resolution shall be construed as an intent to, waive any of its rights, claims, or defenses which are expressly reserved.

SECTION 4. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF NOVEMBER, A.D., 2022.

(Moved: Mena / Seconded: Anderson)
(Yeas: Menendez, Anderson, Fors, Jr., Lago)
(Absent: Mena)
(Unanimous: 4-0 Vote)
(Agenda Item: J-1)


APPROVED:

DocuSigned by:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

358417D2FA884FF

BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY