

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2023-XXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA WAIVING THE COMPETITIVE PROCESS OF THE PROCUREMENT CODE, AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE A 90-DAY LICENSE AGREEMENT, WITH A 90-DAY EXTENSION OPTION, TO ENGAGE A LICENSEE FOR THE OPERATION OF THE CAFÉ SPACE AT THE CORAL GABLES GOLF AND COUNTRY CLUB.

WHEREAS, in May 2022, following years of management by a private operator, the City began managing and operating the City-owned Coral Gables Golf & Country Club (the “Country Club”); and

WHEREAS, pursuant to Resolution No. 2022-46, the City Commission waived the competitive process for a twelve-month period for, among other things, the engagement of vendors for services and any leases necessary for the continuity of services; and

WHEREAS, on May 31, 2022, the City and Fresh AN, LLC (the “Concessionaire”) entered into a one-year Concession Agreement (8/22/22-8/21/23), for the operation of the café space located at the Country Club (the “Concession Agreement”); and

WHEREAS, on August 22, 2023, pursuant to Resolution No. 2023-227, the City Commission waived the competitive process of the Procurement Code, pursuant to Section 2-501(d), with respect to operation of the café space located at the Country Club and authorized an extension through September 30, 2023, so that City staff and the Concessionaire could negotiate terms for a two-year extension of the Concession Agreement; and

WHEREAS, on September 26, 2023, pursuant to Resolution No. 2023-276, the City Commission authorized another extension to the Concession Agreement (until October 31, 2023) to allow the Concessionaire additional time to provide the city with the documentation needed to evaluate/negotiate the two-year extension; and

WHEREAS, on September 27, 2023, the City received confirmation from Fresh AN, LLC’s Manager of record, Veronique Youbi, that the Concessionaire wished to end the negotiation process, cease café operations at the end of the September 30, 2023 extension, and pursuant to the terms of the Concession Agreement, remove all personal property from the café space by October 3, 2023; and

WHEREAS, in order to ensure that the Country Club café space continues to operate and provide food and beverage services to Country Club members, the surrounding neighborhood, and Coral Gables residents, the City Commission finds that it is in the best interests of the City to waive the competitive process provisions of the Procurement Code, and authorizes the City Manager, and the City Attorney to negotiate and execute a 90-day License Agreement, (with additional extensions up to 90 days at the City Manager's discretion), to engage a Licensee for the operation of the café space at the Country Club; and

WHEREAS, the City Manager is further authorized to negotiate with potential Licensees for the longer-term operation of the Country Club Café space; and

WHEREAS, any subsequent License Agreement would be presented to the City Commission for approval.

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. That the City Commission waives the competitive process provisions of the Procurement Code, and authorizes the City Manager, and the City Attorney to negotiate and execute a 90-day License Agreement, (with additional extensions up to 90 days at the City Manager's discretion), to engage a Licensee for the operation of the café space at the Country Club. The City Manager is further authorized to negotiate with potential Licensees for the longer-term operation of the Country Club Café space.

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

PASSED AND ADOPTED THIS 10th DAY OF OCTOBER, A.D., 2023.

(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