

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA ALLOWING CORAL GABLES CINEMATEQUE, INC. TO EXERCISE EARLY ITS OPTION FOR RENEWAL OF THE LEASE AGREEMENT ENTERED INTO BY AND BETWEEN THE CITY AND CORAL GABLES CINEMATEQUE, INC., FOR THE PROPERTY LOCATED AT 260 ARAGON AVENUE, CORAL GABLES, FLORIDA, AND COMMONLY REFERRED TO AS THE CORAL GABLES ART CINEMA.

WHEREAS, pursuant to Ordinance No. 2010-24, the City and Coral Gables Cinemateque, Inc. (“Tenant”) entered into an Amended and Restated Lease dated September 28, 2010, which was amended on November 4, 2015 per Resolution No. 2015-260 (collectively the “Agreement”) with regard to City property located at 260 Aragon Avenue, Coral Gables, FL; and

WHEREAS, the term of the Agreement commenced on October 1, 2010 and continues through September 30, 2020, unless extended or terminated by the Parties; and

WHEREAS, pursuant to the Agreement, Tenant has the option to renew the Agreement for two (2) successive periods of five (5) years each, upon the same terms and conditions set forth in the Agreement; and

WHEREAS, as required by the Agreement, Tenant submitted a request for early exercise of its option to renew the Agreement; and

WHEREAS, City staff, in accordance with the terms of the Agreement, determined the Tenant has observed and performed all of the covenants, agreements and other obligations, as required by the Agreement; and

WHEREAS, the City Commission wishes to allow the Tenant to exercise one of its renewal options in the Agreement early; and

WHEREAS, the early exercise of this option will not affect any other provisions of the Agreement, including the remaining option to renew; and

WHEREAS, section XLIV of the Agreement allows modification to its terms where in writing and executed by the Parties.

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 Amendment to the Lease (the “Amendment”) is hereby approved in substantially the form attached hereto as Exhibit “A.”

SECTION 3. That the City Commission does hereby authorize the City Manager to execute the Amendment with such modifications to the form attached hereto as Exhibit “A” as may be approved by the City Manager and City Attorney that are necessary to implement the intent of this resolution.

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

PASSED AND ADOPTED THIS FIFTEENTH OF MARCH, A.D., 2016.

(Moved: / Seconded:)
(Yeas: / Nays:)
(Vote:)
(Agenda Item:)

APPROVED:

JAMES C. CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

CRAIG E. LEEN
CITY ATTORNEY