

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2019-**

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA APPROVING THE PURCHASE AND SALE AGREEMENT WITH GRANADA PRESBYTERIAN CHURCH FOR THE PURCHASE OF THREE (3) VACANT LOTS LOCATED AT THE CORNER OF ALAVA AVENUE AND TOLEDO STREET, CORAL GABLES, FLORIDA (FOLIO NUMBERS 03-4119-001-5270; 03-4119-001-5280; 03-4119-001-5290) FOR THE PURPOSE OF ESTABLISHING A NEIGHBORHOOD PARK; PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

**WHEREAS**, the City continues to invest in the City's neighborhoods with the purpose of improving quality of life for its residents; and

**WHEREAS**, the City continues to make specific investments in properties that will be used as neighborhood parks to enhance the level of service provided by the Community Recreation Department; and

**WHEREAS**, the City identified three (3) vacant lots, having 5,000 SF each for a total of 15,000 SF, at the NW corner of Alava Avenue and Toledo Street (the "Property") to be used to create a neighborhood park and Granada Presbyterian Church (the "Owner") has a desire to sell the Property to the City; and

**WHEREAS**, City staff and the Owner have negotiated a proposed Purchase and Sale Agreement (the "Agreement") that includes the following terms: a purchase price of \$1,137,500 (including a security deposit of \$53,750); a 90-day due diligence period; and contingent on an appraisal, neighborhood consensus, and City Commission approval; and

**WHEREAS**, in accordance with Chapter 2, Article VIII, Division 12 of the City Code titled "Purchase, Sale, and Lease of Public Property," the City obtained two appraisals from MAI certified appraisers and the Owner submitted a third appraisal to the City, all ranging in appraised values between \$975,000 to \$1,200,000; and

**WHEREAS**, the Economic Development Board, the Property Advisory Board, and the Budget/Audit Advisory Board, all reviewed the proposed terms and recommended that the City enter into the Agreement on the terms set forth in the above whereas clause, at their meetings on August 14th, 2019 and August 21st, 2019, respectively; and

**WHEREAS**, the purchase was presented for neighborhood input at a community meeting on August 1, 2019 that was advertised and noticed with door hangers to all

neighborhood homes within 1,500 feet. of the Property at the Coral Gables Youth Center, 405 University Drive, at 7:00 PM and the neighborhood feedback was favorable outcome; and

**WHEREAS**, the purchase of the Property will be funded with \$731,661.00 from the Park Impact Fee Fund and \$405,839.00 from the General Capital Improvements Fund;

**WHEREAS**, the annual maintenance expenses for the entire 15,000 SF site are estimated to be approximately \$6,000; and

**WHEREAS**, the Property is currently tax exempt because Florida law, Chapter 196, provides property tax exemption(s) to eligible, religious, not-for-profit organizations that own and operate real estate and/or tangible business property, the purchase of these lots will not result in a loss of existing tax revenue to the City; and

**WHEREAS**, the Commission has been presented with the proposed Purchase and Sale Agreement for its consideration and approval; and

**WHEREAS**, pursuant to Section 2-1097 of the City Code, this Ordinance requires a four-fifths vote because the purchase exceeds \$1,000,000.00; and

**WHEREAS**, pursuant to Section 2-1089 of the City Code, the City Commission, upon a four-fifths vote, has the authority to waive any provision of Chapter 2, Article VIII where it finds such a waiver to be necessary in order to proceed with a purchase, sale, or lease which is in the best interest of the City, and where such waiver would serve the public interest to the extent that any provision of this section was not complied with, the City Commission waives said provision in the best interest of the City; and

**WHEREAS**, the City Commission finds that the purchase of the three (3) vacant lots, each at the NW corner of Alava Avenue and Toledo Street (Folio Numbers 03-4119-001-5270; 03-4119-001-5280; 03-4119-001-5290) serves the public interest and that it is in the best interest of the City to authorize the City Manager to execute the Purchase and Sale Agreement.

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

**SECTION 1.** That the foregoing “Whereas” clauses are here hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

**SECTION 2.** That the Purchase & Sale Agreement is hereby approved in substantially the form attached as Exhibit A, with any such modifications as may be approved by the City Manager and the City Attorney to carry out the City Commission’s intention.

**SECTION 3.** That the City Commission approves the Purchase and Sale Agreement with Granada Presbyterian Church for the purchase of the three (3) vacant lots each at the NW

corner of Alava Avenue and Toledo Street (Folio Numbers 03-4119-001-5270; 03-4119-001-5280; 03-4119-001-5290) for the purpose of creating a neighborhood park, preserving landscaped open space, enhancing the Community Recreation Department's level of service to the surrounding neighborhood, and improving the overall quality of life for its residents.

**SECTION 4.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** That this Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF AUGUST, A.D.,  
2019.

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

APPROVED:

RAUL VALDES-FAULI  
MAYOR

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BILLY Y. URQUIA  
CITY CLERK

MIRIAM SOLER RAMOS  
CITY ATTORNEY