RESOLUTION NO. R-2012-67

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A LEASE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI, AS LANDLORD AND OLETA PARTNERS, LLC, AS TENANT, FOR THE PREMISES KNOWN AS "BISCAYNE LANDING"; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE TERMS OF THE LEASE AGREEMENT, IN ACCORDANCE WITH THE DIRECTION PROVIDED TO CITY ADMINISTRATION, WITHOUT THE NECESSITY OF FURTHER ACTION BY THE MAYOR AND CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, on June 2, 2011, the City of North Miami ("City") issued ***Request for Proposal #43-10-11 (A) for the Redevelopment of the Biscayne Landing Site for the City of North Miami, Florida,*** as amended ("RFP-A"), representing the first phase in the City's efforts to seek a qualified developer to develop or purchase the approximate 183.8 acre-site known as Biscayne Landing ("Biscayne Landing"); and

WHEREAS, on June 29, 2011, the City issued ***Request for Proposal #43-10-11 (B) for the Redevelopment of the Biscayne Landing Project Stage 2*** ("RFP-B"), representing the second phase in the City's efforts to seek a qualified developer to develop or purchase Biscayne Landing; and

WHEREAS, Oleta Partners, LLC, a Florida Limited Liability Company ("Developer"), was the sole respondent to both RFP-A and RFP-B; and

WHEREAS, on October 25, 2011, the Mayor and City Council adopted Resolution Number 2011-141, authorizing the City Manager, the City Attorney, and their designees to negotiate the lease or sale of the Biscayne Landing project site with the Developer; and

WHEREAS, the City is responsible for the continued operation, repair and maintenance of the Biscayne Landing site until such time that the City enters into a lease or sale agreement; and

WHEREAS, negotiations between the City and Developer has culminated into a lease agreement which the Mayor and City Council desire to move for execution, in accordance with the direction provided to City Administration at the duly noticed, public meeting of May 23, 2012.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Authorization to Execute Lease Agreement.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the execution of a Lease agreement, in substantially the attached form, between the City of North Miami, as landlord and Oleta Partners, LLC, as Tenant, for the premises known as "Biscayne Landing".

Section 2. **Authorization of City Manager.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to do all things necessary to effectuate the terms of the Lease Agreement, in accordance with the direction provided to City Administration, without the necessity of further action by the Mayor and City Council.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 3-2 vote of the Mayor and City Council of the City of North Miami, Florida, this 23 day of May, 2012.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Mayor Pierre

Vote:

Mayor Andre D. Pierre, Esq.	x (Yes)	(No)
Vice Mayor Jean R. Marcellus	(Yes)	x (No)
Councilperson Michael R. Blynn, Esq.	x (Yes)	(No)
Councilperson Scott Galvin	(Yes)	x (No)
Councilperson Marie Erlande Steril	x (Yes)	(No)