

**RESOLUTION NO. 16-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AS LANDLORD AND THE TOWN OF MIAMI LAKES AS TENANT FOR A PORTION OF THE PREMISES LOCATED AT 6699 WINDMILL GATE ROAD (A/K/A PARK 55); AUTHORIZING EXECUTION OF LEASE AGREEMENT; AUTHORIZING EXPENDITURE OF BUDGETED FUNDS; AUTHORIZING IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in 2011, Miami-Dade County (“the County”) transferred ownership to the Town of Miami Lakes, Florida (“the Town”) a majority of the pocket parks within the Town that had been, until then, formally owned and managed by the County’s Special Taxing District; and

**WHEREAS**, a park classified as Park 55, which is located adjacent to the Miami Lakes Library, (“Park 55”) was not transferred to the Town as it is owned by the County’s Library Department; and

**WHEREAS**, the Town staff engaged the County staff in discussions to allow the Town to lease Park 55 from the County in order for the Town to maintain the property in accordance with the Town’s standards; and

**WHEREAS**, the County has proposed to lease Park 55 to the Town for an annual rental amount of \$1.00 per year for a ten (10) year period, with two (2) ten (10) year option to renew periods; and

**WHEREAS**, it is proposed that the Town enter into a lease agreement with the County for use of Park 55 in substantially the same form as the Lease Agreement attached hereto as Exhibit “A” (“the Lease Agreement”); and

**WHEREAS**, leasing the park parcel would allow funding for park maintenance in the same manner as the Town’s other public mini-parks; and

**WHEREAS**, leasing the park parcel would allow the Town to continue growing its park inventory as the Town makes strides to meet its Level of Service goals outlined in the Town’s Comprehensive Plan for future population growth and maintain the park at a high standard for the future; and

**WHEREAS**, the Town Council finds that it is in the best interest of the Town to enter into a Lease Agreement with the County for Park 55.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.

**Section 2. Approval of Lease.** The Lease Agreement between Miami-Dade County, Florida as Landlord and the Town of Miami Lakes as Tenant, in substantially the same form as that which is attached hereto as Exhibit “A,” together with such changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

**Section 3. Authorizing Execution of Lease Agreement.** The Town Manager is authorized to execute the Lease Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Lease Agreement, and to execute any extensions and/or amendments to the Lease Agreement, subject to approval by the Town Attorney as to form and legality.

**Section 4. Authorization of Expenditure of Budgeted Funds.** Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town’s Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Lease Agreement.

**Section 5. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement this Resolution and the terms and conditions of the Lease Agreement.

**Section 6. Effective Date.** This Resolution shall be effective immediately upon adoption.

**THIS SPACE INTENTIONALLY LEFT BLANK**

Passed and adopted this 26<sup>th</sup> day of July, 2016.

The foregoing resolution was offered by \_\_\_\_\_ who moved its adoption. The motion was seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr. \_\_\_\_\_

Vice Mayor Tim Daubert \_\_\_\_\_

Councilmember Manny Cid \_\_\_\_\_

Councilmember Tony Lama \_\_\_\_\_

Councilmember Ceasar Mestre \_\_\_\_\_

Councilmember Frank Mingo \_\_\_\_\_

Councilmember Nelson Rodriguez \_\_\_\_\_

\_\_\_\_\_  
Michael A. Pizzi, Jr.  
MAYOR

Attest:

\_\_\_\_\_  
Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY

# **EXHIBIT A**

**Lease Agreement**

**between**

**The Town of Miami Lakes**

**and**

**Miami-Dade County**

**for**

**a portion of the premises located at**

**6699 Windmill Gate Road**