

RESOLUTION No. 2006-49-395

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXERCISING AN OPTION TO PURCHASE THAT CERTAIN REAL PROPERTY DESCRIBED IN THE OPTION AGREEMENT ATTACHED HERETO AS EXHIBIT "A" IN THE AMOUNT OF THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00); AUTHORIZING THE USE OF PROCEEDS FROM THE 2005 \$7.5 MILLION PUBLIC FACILITIES BOND ISSUE FOR THE PURCHASE; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE PURCHASE OF THE PROPERTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 2006-03-84, which amended Ordinance No. 2005-10-48, the City's Purchasing Ordinance, the City Manager has the authority to negotiate and execute option agreements on real property for consideration by the City Council, so long as any good faith deposit money does not exceed the City Manager's purchasing limits, and

WHEREAS, although the City Manager may execute an option agreement, only the City Council can exercise an option, and

WHEREAS, the City Manager has executed the Option Agreement, attached hereto as Exhibit "A," and

WHEREAS, the property to be purchased will be used for a neighborhood tot-lot and mini-park, and

WHEREAS, pursuant to the Option Agreement attached hereto as Exhibit "A" and the Purchase And Sale Agreement, which is attached thereto and incorporated therein by

reference, the purchase price for the property is \$35,000.00, and

WHEREAS, pursuant to the Option Agreement, the City Council has sixty (60) days from the date of execution, to exercise the Option, and

WHEREAS, upon execution of the Option Agreement, the City paid a deposit of Three Thousand, Five Hundred (\$3,500.00) Dollars, and

WHEREAS, Section 2-10.4.2 of the Miami-Dade County Code, relating to purchases and transfers of real property, governs the City pursuant to Section 8.3 of the City's Charter, and

WHEREAS, although pursuant to Section 2-10.4.2 of the Miami-Dade County Code, the City is not required to obtain an appraisal for the purchase of the property, the City Manager obtained an appraisal for the property, and the value of the property, based upon the appraisal exceeds the purchase price by approximately 60%, and

WHEREAS, the City Council would like to exercise the Option and would like to authorize the City Manager and City Attorney to take all necessary steps to effectuate the purchase of the Property, and

WHEREAS, the City Council would like to utilize proceeds from the 2005 \$7.5 Million Public Facilities Bond Issue for this purchase,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. EXERCISE OF OPTION: The City Council for the City of Miami

Gardens, Florida, hereby exercises the Option to purchase the real property described in the Option Agreement and Purchase & Sale Agreement attached hereto as Exhibit "A" (the "Property").

Section 3. AUTHORIZATION: The City Manager and City Attorney is hereby authorized to take any and all steps necessary to effectuate the purchase of the Property and to fulfill the intent of this Resolution.

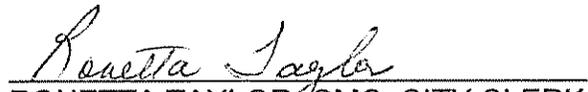
Section 4. AUTHORIZATION: The City Council hereby authorizes the City Manager to utilize the proceeds from the 2005 \$7.5 Million Public Facilities Bond Issue for the purchase of the Property.

Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MAY 10, 2006.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY:     Dr. Danny O. Crew, City Manager

MOVED BY:     Councilwoman Pritchett  
SECONDED BY:     Councilwoman Watson

VOTE:     4-1

|                              |              |       |            |      |                |
|------------------------------|--------------|-------|------------|------|----------------|
| Mayor Shirley Gibson         | <u>   </u>   | (Yes) | <u>   </u> | (No) | Out of Country |
| Vice Mayor Oscar Braynon, II | <u>  x  </u> | (Yes) | <u>   </u> | (No) |                |
| Councilman Melvin L. Bratton | <u>  x  </u> | (Yes) | <u>   </u> | (No) |                |

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Councilman Aaron Campbell  
Councilman Ulysses Harvard  
Councilwoman Sharon Pritchett  
Councilwoman Barbara Watson

|   |  |             |
|---|--|-------------|
| <input checked="" type="checkbox"/> (Yes) | <input type="checkbox"/> (No)            |             |
| <input type="checkbox"/> (Yes)            | <input type="checkbox"/> (No)            | Out of room |
| <input type="checkbox"/> (Yes)            | <input checked="" type="checkbox"/> (No) |             |
| <input checked="" type="checkbox"/> (Yes) | <input type="checkbox"/> (No)            |             |

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