



City of Miami

Legislation

Resolution: R-16-0347

City Hall
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Drive
Miami, FL 33133
www.miamigov.com

File Number: 16-01009

Final Action Date: 7/29/2016

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CHARTER"), FOR CONSIDERATION AT THE SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, PROPOSING, UPON APPROVAL OF THE ELECTORATE, TO AMEND SECTION 29-B OF THE CHARTER ENTITLED "CITY-OWNED PROPERTY SALE OR LEASE-GENERALLY", TO AUTHORIZE THE CITY COMMISSION BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, TO WAIVE COMPETITIVE BIDDING AND EXECUTE A LEASE WITH DADE HERITAGE TRUST, INC. FOR THE CITY-OWNED BUILDING LOCATED AT 190 SOUTHEAST 12TH TERRACE, MIAMI, FLORIDA FOR A TERM OF THIRTY (30) YEARS, WITH TWO (2) THIRTY (30) YEAR RENEWALS, FOR MINIMUM ANNUAL RENT OF \$600.00 WITH CONSUMER PRICE INDEX ADJUSTMENTS, WITH RESTRICTIONS, REVERSIONS, AND RETENTION BY THE CITY OF ALL OTHER RIGHTS.

WHEREAS, in 1972, the Dade Heritage Trust, Inc. ("DHT"), a not-for-profit corporation authorized by the State of Florida and under Section 501(c)(3) of United States Internal Revenue Code and nationally recognized by the National Trust for Historic Preservation, began its first preservation effort in Miami-Dade County with the City of Miami ("City") to acquire, restore and preserve the original 1905 Office of Dr. James Jackson ("Dr. Jackson's Office") now located at 190 Southeast 12th Terrace, Miami, Florida, which is part of the City's Parks and Recreation Department facilities; and

WHEREAS, currently, the City and DHT have a Revocable License for the use of Dr. Jackson's Office by DHT; and

WHEREAS, in order to assist the City with the continued restoration and preservation of the building and improvements (collectively, "Building") at Dr. Jackson's Office and in order to continue to provide the community with educational, cultural, visitor, historic preservation, and other appropriate recreational services, the City and DHT desire to enter into a thirty (30) year lease of the Building with two (2) thirty (30) year renewals, with a minimum annual rent of \$600.00, with Consumer Price Index adjustments and with certain restrictions and reversions on uses of the Building by DHT, and retention by the City of all other rights related to the Building, the land, and otherwise; and

WHEREAS, currently, under the Charter of the City of Miami, as amended ("Charter"), Section 29-B entitled "City-owned property sale or lease - generally" would not permit the City to execute a long-term lease, with renewals, of Dr. Jackson's Office to DHT for the proposed rent and terms; and

WHEREAS, Section 2-112 of the Code of the City of Miami, as amended, requires the City Commission to adopt a resolution directing the City Attorney to prepare a Charter amendment;

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

Section 1. The City Attorney is directed to prepare an amendment to the Charter of the City of Miami, Florida, as amended ("Charter"), for consideration at the Special Election to be held on November 8, 2016, proposing, upon approval of the electorate, to amend Section 29-B of the Charter to authorize the City Commission by a four-fifths (4/5ths) affirmative vote, to waive competitive bidding and execute a lease with Dade Heritage Trust, Inc. for the City-owned Building located at 190 Southeast 12th Terrace, for a term of thirty (30) years, with two (2) thirty (30) year renewals, for minimum annual rent of \$600.00 with Consumer Price Index adjustments, with restrictions, reversions, and retention by the City of all other rights.

Section 2. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.{1}

Footnotes:

{1} If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission .