



VILLAGE OF KEY BISCAIYNE

Office of the Village Manager

Village Council
Mayra P. Lindsay, *Mayor*
Edward London, *Vice Mayor*
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Michael E. Kelly

Village Manager
John C. Gilbert

MEMORANDUM

DATE: October 4, 2016
TO: Honorable Mayor and Members of the Village Council
FROM: John C. Gilbert, Village Manager
RE: Property Acquisition-85 West Enid Drive

RECOMMENDATION

It is recommended that the Village Council approve the attached Ordinance on first reading authorizing the purchase of the property located at 85 West Enid Drive which is currently being utilized as a parking facility for Village employees.

BACKGROUND

During the August 30th, 2016 Council Meeting, the Village Council directed our Village Attorney to present the necessary legislation to purchase the property located at 85 West Enid Drive from Miami-Dade County through its Water and Sewer Department. Both the Village and Miami-Dade County met to discuss and negotiate a purchase price based on the appraisals received by both parties consistent with the agreed upon scope of valuation for the identified property. The agreed upon purchase price for the property is \$1,400,000.

Upon Council approval, the necessary agreements, closing statements, or other documents necessary to consummate the purchase of the Property, subject to the Village Attorney's approval and the approval of the Miami-Dade County Commission, will be properly executed.

The funding for this purchase will be obtained from the FY2016 Capital Improvements Plan-Village Hall Parking Lot Purchase.

Reviewed by Mr. Eduardo M. Soto from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

ORDINANCE NO. 2016 -

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE OF A 20,100 SQ. FT. TRACT OF LAND FROM MIAMI-DADE COUNTY LOCATED AT 85 WEST ENID DRIVE, KEY BISCAYNE, FLORIDA PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County (the “County”), through its Water and Sewer Department, is the owner of a 20,100 sq. ft. tract of land located along at 85 West Enid Drive within the Village of Key Biscayne, Florida (the “Property”); and

WHEREAS, the Village of Key Biscayne, Florida (the “Village”) is currently in possession of the Property and utilizes the Property for a parking facility for Village employees; and

WHEREAS, the Village Council desires to purchase the Property from the County to use as a parking facility and for any other governmental purposes; and

WHEREAS, the County is desirous of selling the Property to the Village for the intended purposes; and

WHEREAS, the Village Council desires to approve the purchase of the Property, provided that the purchase price shall not exceed \$1,400,000.00, pursuant to a written contract which shall be negotiated by the Village Attorney and the Village Manager, and the Village Council desires to authorize the Village Manger to take all appropriate action thereunder to consummate the purchase of the Property; and

WHEREAS, the Village Council finds that this Ordinance is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Contract Approval. The Village Council hereby approves the purchase of the Property as contemplated in the recitals.

Section 3. Village Manager Authorized. The Village Manager is hereby authorized to execute any agreements, closing statements, or other documents necessary to consummate the purchase of the Property, subject to the Village Attorney’s approval as to form, content and legal sufficiency.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED on the first reading this ___ day of _____, 2016.

PASSED AND ADOPTED on the second reading this ___ day of _____, 2016.

MAYOR MAYRA PEÑA LINDSAY

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY