

RESOLUTION No. 19-299

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO MODIFY THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR DOWNTOWN DORAL SOUTH; PROVIDING FOR RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, CC-WCD TIC, LLC and White Course Lennar, LLC (the “Developers”) owners of certain lands, commonly known as Downtown Doral South entered into an Amended and Restated Master Development Agreement for Downtown Doral South with the City of Doral on November 2, 2018; and

WHEREAS, the Amended and Restated Master Development Agreement incorporated the approvals of the amended and restated pattern book that illustrated scope, planned uses, design and appearance of the Project; and

WHEREAS, pursuant to the paragraph 13(b)(ii)-Cultural Affairs Contribution of the Amended and Restated Master Development Agreement, Developers have contributed five hundred thousand dollars (\$500,000.00) to the preparation of plans for the improvement of the cultural arts pavilion to be located in the Triangle parcel in Downtown Doral; and

WHEREAS, paragraph 13(b)(ii) also provides that Developers will also contribute one million dollars (\$1,000,000.00) for the construction of the cultural arts pavilion; and

WHEREAS, on November 6, 2018, the General Obligation Parks Bond for \$150 million was passed in order to help fund the construction of high-priority park projects which included the cultural arts pavilion; and

WHEREAS, since the construction of cultural arts pavilion will be funded by the

General Obligation Bond, the City after careful review and deliberation, has determined that the reallocation of the Cultural Arts Contribution towards the acquisition of public art will further enhance the cultural arts pavilion project; promote the general welfare of the community, make a significant contribution towards creating a cultural legacy for future generations in Downtown Doral South through the collection and exhibition of high-quality art pieces.

WHEREAS, public art exhibited around the cultural arts pavilion and in Downtown Doral South will enhance our civic spaces, and add a uniqueness to our community; and

WHEREAS, the City Council finds that the proposed modification to the Amended and Restated Master Development Agreement is in the best interest and welfare of the residents of the City of Doral.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Approval. The Mayor and City Council of the City of Doral hereby Approves the First Amendment to Amended and Restated Master Development Agreement (attached as Exhibit "A").

Section 3. Authorization. The Mayor and City Council of the City of Doral hereby authorize the City Manager to execute the First Amendment to Amended and Restated Master Development Agreement on behalf of the City in furtherance hereof.

The City Manager is further authorized to take the necessary actions including but not limited to negotiating and entering into an additional agreement(s) to further the purpose of the First Amendment to Amended and Restated Master Development Agreement and legislative intent expressed in the recitals contained in this resolution.

Section 4. Recordation. This Resolution and First Amendment to Amended and Restated Master Development Agreement shall be recorded in the Public Records of Miami-Dade County, Florida.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Councilmember Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 12 day of December, 2019.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

EXHIBIT “A”

FIRST AMENDMENT TO AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR DOWNTOWN DORAL SOUTH

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR DOWNTOWN DORAL SOUTH fully executed date of November 2, 2016, CC Homes at Doral, LLC a Delaware limited liability company, White Course Lennar, LLC a Florida limited liability company, and CC-WCD TIC, LLC (hereinafter, collectively, the “Developers”) and the City of Doral is made, adopted and executed this _____ day of December, 2019

1. Cultural Affairs Contribution - Paragraph 13 (b) (ii)- Cultural Affairs Contribution is revised to read as follows:

Developers agree to make a cultural affairs contribution of ONE MILLION Dollars (1,000,000.00) (the “Cultural Affairs Contribution”) to the City of Doral for the purpose of collecting, exhibiting and maintaining visual artwork in and around the Property. The Cultural Affairs Contribution shall be made by the Developers no later than ninety (90) days following the date set forth above (the Effective date”) effective date of this Amendment.

2. No other terms or conditions to the AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR DOWNTOWN DORAL SOUTH shall be changed as a result of this First Amendment.

City of Doral:

Signature _____ Date _____
Albert P. Childress

Attest:

Connie Diaz, MMC
City Clerk

Approved As To Form and Legal Sufficiency for the Use
And Reliance of the City of Doral Only:

Luis Figueredo, ESQ
City Attorney

IN WITNESS whereof, the parties have signed this Agreement as of the day and year first above written.

WITNESSES:

CC Homes at Doral, LLC, a Delaware limited liability company

Signature

By: _____
Name:

Print Name

Title:

Signature

Print Name

STATE OF FLORIDA)

) SS:

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, as _____ of CC Homes at Doral, LLC, on behalf of the said limited liability company and for the purposes stated above. He/she personally appeared before me, is personally known to me or produced _____ as identification, and [did] [did not] take an oath.

Notary: _____

[NOTARIAL SEAL]

Print Name: _____