

ORDINANCE NO. 2016-73

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY, AS LANDLORD, AND FAMILY AIDS COALITION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AS TENANT, FOR OFFICE SPACE, ROOM 112, WITHIN THE BLANCHE MORTON NEIGHBORHOOD CENTER, LOCATED AT 300 EAST 1 AVENUE, HIALEAH, FLORIDA, FOR A PERIOD OF ONE YEAR, COMMENCING ON SEPTEMBER 1, 2016 AND ENDING ON AUGUST 31, 2017, FOR AN ANNUAL AMOUNT OF \$1,688.54, PAYABLE IN EQUAL MONTHLY BASE RENTAL PAYMENTS PLUS ELECTRIC, UTILITY AND TELEPHONE CHARGES, WITH TWO SUCCESSIVE ONE-YEAR RENEWALS WITH A 5% ANNUAL RENTAL INCREASE FOR EACH YEAR RENEWED, IN THE LEASE FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Hialeah, Fla., Ordinance 2007-41 (Apr. 25, 2007), the City renewed its lease agreement at the Blanche Morton Neighborhood Service Center with Family AIDS Coalition, Inc.; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 10-45 (Aug. 11, 2010), the City renewed its lease agreement at the Blanche Morton Neighborhood Service Center with Family AIDS Coalition, Inc.; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 2013-66 (Sept. 26, 2013), the City renewed its lease agreement at the Blanche Morton Neighborhood Service Center with Family AIDS Coalition, Inc.; and

WHEREAS, the City desires to renew a lease agreement at the Blanche Morton Neighborhood Service Center with Family AIDS Coalition, Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City of Hialeah, as landlord, and Family AIDS Coalition, Inc., a Florida not-for-profit corporation, as tenant, for office space, Room 112, within the Blanche Morton Neighborhood Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on September 1, 2016 and ending on August 31, 2017, for an annual amount of \$1,688.54, payable in equal monthly base rental payments plus electric, utility and telephone charges, with two successive one-year renewals with a 5% annual rental increase for each year renewed, in the lease form as attached hereto and made a part hereof as Exhibit "1".

Section 2: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation or suspension of licenses or permits.

Section 3: Severability Clause.

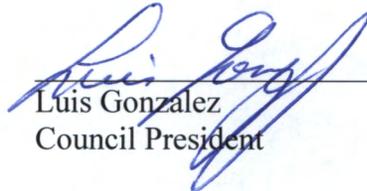
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 4: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida and signed by the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 22 day of November, 2016.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Luis Gonzalez
Council President

Attest:

Approved on this 9 day of December, 2016.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, City Attorney

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Ordinance was adopted by a (6-0-1) vote with Councilmembers, Caragol, Gonzalez, Hernandez, Garcia-Martinez, Cue-Fuente and Casals-Muñoz voting "Yes". Councilwoman Lozano absent.