ORDINANCE NO. 09-07

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 HIALEAH-DADE DEVELOPMENT, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AS TENANT, FOR USE OF FIRST FLOOR OFFICE SPACE COMPRISING OF 957 SQUARE FEET LOCATED AT CITY HALL, 501 PALM AVENUE, HIALEAH, FLORIDA, FOR A PERIOD OF ONE YEAR, COMMENCING ON OCTOBER 1, 2008 AND ENDING ON SEPTEMBER 30, 2009, FOR AN ANNUAL AMOUNT OF $11,484.00, PAYABLE IN EQUAL MONTHLY RENTAL PAYMENTS, IN THE FORM AS ATTACHED HERETO AS EXHIBIT "1"; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City finds that it is advisable and in the best interest of the City to renew a lease agreement with Hialeah-Dade Development, Inc. ("HDDI"), a Florida not-for-profit organization, to rent first floor office space at City Hall for the purpose of promoting economic development and job opportunities within Hialeah.

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 Hialeah-Dade Development, Inc., a Florida not-for-profit corporation, as tenant, for use of first floor office space comprising of 957 square feet located at City Hall, 501 Palm Avenue, Hialeah, Florida, for a period of one year, commencing on October 1, 2008 and ending on September 30, 2009, for an annual amount of $11,484.00, payable in equal monthly rental payments, in the form as attached hereto 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 punished by 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 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 10th day of February, 2009.

Carlos Hernandez
Council President

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

Attest: Approved on this 11 day of February, 2009.

Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".