

**RESOLUTION NO. 2018-148**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HALLANDALE BEACH AND EIGHTH AVENUE PARTNERS, LLC FOR THE PROJECT LOCATED AT 200 NW 8<sup>TH</sup> AVENUE, IN SUBSTANTIALLY THE SAME FORM AS ATTACHED EXHIBIT "2"; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAs**, Eighth Avenue Partners, LLC (Applicant) owns properties located at 200 NW 8<sup>th</sup> Avenue which they propose to develop; and

**WHEREAS**, Applicant submitted Application #DB-17-2311 to the City for major development approval for the proposed residential development; and

**WHEREAS**, approval of this proposed development is contingent on approval of Application # PA-18-0974 for a Future Land Use Map amendment, Application # Z-17-2319 for rezoning to RM-HD-2, Application # PDO-17-2317 for approval of PDO zoning, and Application # P-17-0608 for replatting. The proposed development is also contingent upon the City's allocation of ninety two Residential Flexibility Units; and

**WHEREAS**, the City and the Applicant have met on numerous occasions to negotiate a proposed Development Agreement to provide for terms and conditions upon which the property can be developed; and

**WHEREAS**, the Development Agreement, attached hereto as Exhibit “2”, complies with the requirements of the Florida Local Government Development Agreement Act and the City’s Code of Ordinances, and is consistent with the City’s Comprehensive Plan; and

**WHEREAS**, the City Administration recommends that the Mayor and City Commission approve the proposed Development Agreement between the City of Hallandale Beach and Eighth Avenue Partners, LLC, and authorize the City Manager to execute the Development Agreement in substantially the same form as attached hereto as Exhibit “2”.

39           **WHEREAS**, the Mayor and City Commission have determined that based on the  
40 substantial competent evidence presented at a public hearing, approving the  
41 Development Agreement is in the best interest of the City, consistent with the City's  
42 Comprehensive Plan, and will not adversely affect the public health, safety, and welfare  
43 of the City and its residents.

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45           **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**  
46 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

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48           **SECTION 1. Approval and City Manager Authorization.** The Mayor and the  
49 City Commission hereby approve the Development Agreement between the City of  
50 Hallandale Beach and Eighth Avenue Partners, LLC for the project known as 8<sup>th</sup> Avenue  
51 Commons, located at 200 NW 8<sup>th</sup> Avenue, in substantially the same form as attached  
52 Exhibit "2", as being in the best interest of the residents of the City of Hallandale Beach.  
53 The City Manager is hereby authorized to execute the Development Agreement and to  
54 take all necessary actions to effectuate the agreement.

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56           **SECTION 2. Effective Date.** This Resolution shall take effect immediately upon  
57 its passage and adoption.

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59           PASSED AND ADOPTED on 1<sup>st</sup> reading on December 12, 2018.

60           PASSED AND ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, 2019.

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63           \_\_\_\_\_  
64           JOY D. ADAMS  
65           MAYOR

65           SPONSORED BY: CITY ADMINISTRATION  
66           ATTEST:

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69           \_\_\_\_\_  
70           JENORGEN GUILLEN, CMC  
71           CITY CLERK

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73           APPROVED AS TO LEGAL SUFFICIENCY  
74           FORM

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78           JENNIFER MERINO  
79           CITY ATTORNEY  
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**FIRST READING VOTE ON ADOPTION**

Mayor Adams	<u>Yes</u>
Vice Mayor Javellana	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima- Taub	<u>No</u>

**FINAL VOTE ON ADOPTION**

Mayor Adams	<u>Absent</u>
Vice Mayor Javellana	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima- Taub	<u>No</u>

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