



"The Best Waterfront City in Which to Live, Work And Play."

CITY OF RIVIERA BEACH

TO: HON. MAYOR, CHAIRPERSON, AND CITY COUNCIL

FROM: DAWN S. WYNN, CITY ATTORNEY

SUBJECT: **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COMMERCIAL CONTRACT AND ALL NECESSARY DOCUMENTS FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 2129 N. CONGRESS AVENUE, RIVIERA BEACH, FROM J.D. EATHERLY REVOCABLE LIVING TRUST IN THE AMOUNT OF TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) PLUS CLOSING COSTS FOR THE PURPOSE OF DEVELOPING A MUNICIPAL SERVICES COMPLEX.**

DATE: NOVEMBER 4, 2020

CC: GENERAL PUBLIC

Background:

The City of Riviera Beach is in need of a municipal services complex that can accommodate the City Library, as well as the Youth Empowerment Program, and offer a flexible space for other City operations and activities.

On the April 15, 2020, at the regular City Council meeting, City staff identified an ideal property located at 2129 N. Congress Avenue, more particularly described as Palm Beach County Parcel Control Number: 56-43-42-30-16-000-0800.

Thereafter, on June 3, 2020, the City Council authorized the City Manager to conduct negotiations for the acquisition of the subject real property.

City staff has concluded negotiations with the respective owner, J.D. Eatherly Revocable Living Trust, by J.D. Eatherly as Trustee, to enter into a Commercial Contract (hereinafter "Commercial Contract") for Two Million, Two Hundred Thousand Dollars (\$2,200,000) plus closing costs for the acquisition of the subject parcel located at 2129 N. Congress Avenue, Riviera Beach, FL, more particularly described as Palm Beach County Parcel Control Number: 56-43-42-30-16-000-0800, CONGRESS PARK LOT 8, according to the Plat thereof, as recorded in Plat Book 30705, Page 1281, of the Public Records of Palm Beach County, Florida.

City staff believes that the Commercial Contract will satisfy the City's desire to relocate the City Library and Youth Empowerment Program while the new construction of Library facilities is under way, thereby providing additional services to the community through education, workforce development and community engagement.

City staff also believes that the Commercial Contract will provide a flexible space upon the construction of the new Library to accommodate other City operations during the City's capital construction initiatives.

The City will have an inspection period referred to as a Due Diligence Period, commencing on the date of the Commercial Contract through 5:00P.M. on the thirtieth (30th) day following the Effective Date to inspect and evaluate the physical and other conditions of or with respect to the property, including an inspection of the structural conditions and an environmental assessment thereof, with the Buyer having the obligation to deliver written notice to the Seller prior to the expiration of the Due Diligence Period of Buyer's determination of whether or not the Property is acceptable.

The subject property is currently leased to Strides Pharma, Inc. (hereinafter "Tenant"). However, the Tenant and the City have agreed to an early termination of the Lease without the payment of any fees or penalties, as documented in the Escrow Agreement.

The Closing Date is scheduled within seventy five (75) days of the Effective Date of the Contract.

City staff also believes that the Commercial Contract will provide a great benefit to the entire citizenry of Riviera Beach and allow the Library Department facilities and other City operations to be greatly improved and upgraded.

City Goals:

The Citywide goal is to promote the health, safety, and general welfare of its residents and visitors.

Fiscal/Budget Impact:

\$2,200,000.00 plus applicable closing costs.

Recommendation:

The Office of the City Attorney recommends approval of this Resolution.