

PROPOSED ORDINANCE NO. 2026-04

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, PURSUANT TO SECTION 8.03 OF THE CITY OF PEMBROKE PINES CHARTER, AUTHORIZING THE EXECUTION OF AN AGREEMENT TO ENTER INTO SUB-SUBLEASE, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE, FOR REAL PROPERTY GENERALLY LOCATED AT 8103 SOUTH PALM DRIVE (TOWER I), 8210 FLORIDA DRIVE (TOWER II), AND 8203 FLORIDA DRIVE (TOWER III), COLLECTIVELY REFERRED TO AS PINES PLACE AND DESCRIBED IN EXHIBIT "B", WHICH PROPERTY IS SUBLEASED BY THE CITY FROM THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES AND OWNED BY STATE OF FLORIDA THROUGH THE BOARD OF TRUSTEES OF THE INTERNAL TRUST FUND OF THE STATE OF FLORIDA; AUTHORIZING THE CLOSING OF THE TRANSACTION CONTEMPLATED IN THE AGREEMENT EFFECTIVE UPON THE FILING BY THE CITY MANAGER WITH THE CITY CLERK OF A CERTIFICATE CONFIRMING THAT THE CLOSING REQUIREMENTS IN THE AGREEMENT HAVE BEEN SATISFIED, THE FORM OF WHICH IS ATTACHED HERETO AS EXHIBIT "C", SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE AGREEMENT; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS AND TO TAKE ALL ACTIONS NECESSARY TO CLOSE THE TRANSACTION CONSISTENT WITH THE AUTHORITY GRANTED HEREIN; PROVIDING THAT ANY AMENDMENTS EXTENDING THE REVIEW PERIOD TO THE AGREEMENT TO ENTER SUB-SUBLEASE MAY BE APPROVED BY A DULY EXECUTED RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Pembroke Pines, Florida (hereinafter referred to as the "City") owns a subleasehold interest in real property generally located at 8103 South Palm Drive (Tower I), 8210 Florida Drive (Tower II), and 8203 Florida Drive (Tower III), collectively referred to as Pines Place, Pembroke Pines, Florida, and described in Exhibit "B" (the "Property") which is a portion of the Senator

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Howard C. Forman Health Campus, through Sublease 2628-14 with the State of Florida Department of Children and Family Services, dated March 15, 2001, as amended; and

WHEREAS, as authorized by the Amendment Three to Sublease 2628-14, dated September 9, 2008, the City constructed the Pines Place residential facility and has managed and operated such facility since its construction; and,

WHEREAS, the City financed the construction of the Pines Place residential facility through the issues of special purpose bonds; and,

WHEREAS, pursuant to Section 8.03 of the Charter, the City desires to authorize the Agreement to Enter into Sub-Sublease Agreement with Reliant Cap XI, LLC, a limited liability company ("Reliant") which provides for the City to enter into a Sub-Sublease Agreement with Reliant, and to sell the Improvements on the Property to Reliant, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the consideration paid by Reliant for the Sub-Sublease and the purchase of the Improvements is Ninety Million Two Hundred Fifty Thousand Dollars (\$90,250,000.00); and;

WHEREAS, the property rights and improvements conveyed pursuant to the terms of the Agreement to Enter into Sub-Sublease Agreement has been appraised by three independent appraisers and its appraised value is not in excess of fifteen percent (15%) of the City's annual operating budget; and,

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WHEREAS, as the City intends to defease the bonds issued to financing the construction of Pines Place, as refinanced, as well as other City bond indebtedness from the proceeds of the transaction, and such defeasance must occur no later than ninety (90) days after the action that changes the purpose of the current use from the City's public governmental use to a private use, as Reliant is a private entity, the authority to close the transaction is effective upon the filing by the City Manager with the City Clerk of a certification confirming that the conditions for closing in the Agreement have been satisfied and the receipt of a written opinion from the City's bond counsel that the transaction does not trigger any adverse tax consequences on the bonds being defeased; and,

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Pembroke Pines to authorize the execution of the Agreement to Enter into Sub-Sublease with Reliant and authorize the closing of the transaction as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2. The City Commission of the City of Pembroke Pines, Florida, pursuant to Section 8.03 of the City Charter, hereby authorizes the execution of

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the Agreement to Enter into Sub-Sublease to enter into a Sub-Sublease with Reliant, attached hereto and incorporated herein as **Exhibit “A”**, for the Property described in **Exhibit “B”**.

Section 3. The authority of the City Commission of the City of Pembroke Pines to close the transaction pursuant to the terms of the Agreement to Enter into Sub-Sublease Agreement is effective upon the filing by the City Manager with the City Clerk of a certification confirming that the conditions for closing in the Agreement have been satisfied and the receipt by the City of a written opinion from the City’s bond counsel that the transaction does not trigger any adverse tax consequences on the bonds being defeased. Should the conditions for closing in the Agreement not be satisfied or the City fails to receive the required opinion of its bond counsel, the termination of the Agreement shall be accomplished by the filing by the City Manager with the City Clerk of a certification confirming such. The certification of the City Manager shall be substantially in the form attached hereto as **Exhibit “C.”**

Section 4. The proper City officials are hereby authorized to take all actions necessary and to effectuate the terms of the Agreement to Enter into Sub-Sublease with Reliant, and to execute all necessary documents required to close the transaction subject to the filing of the certificate of the City Manager pursuant to Section 3 above.

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Section 5. That the City may amend the Agreement for the purpose of extending the Review Period by duly executed Resolution of the City Commission.

Section 6. If any clause, section, or other part or application this Ordinance shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 7. All Ordinances or parts of Ordinances in conflict herewith be and the same are repealed to the extent of such conflict.

Section 8. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS ___ DAY OF _____, 2026.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF _____, 2026.

CITY OF PEMBROKE PINES, FLORIDA

By: _____

ATTEST:

MAYOR ANGELO CASTILLO

GABRIEL FERNANDEZ, CITY CLERK

HERNANDEZ _____

GOOD _____

RODRIGUEZ _____

APPROVED AS TO FORM:

SCHWARTZ _____

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OFFICE OF THE CITY ATTORNEY

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EXHIBIT "A"

AGREEMENT TO ENTER INTO SUB-SUBLEASE AGREEMENT

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EXHIBIT "B"

**LEGAL DESCRIPTION OF PROPERTY TO BE SUB-SUBLEASED
AND ON WHICH THE IMPROVEMENTS TO BE SOLD ARE LOCATED**

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EXHIBIT "C"

FORM OF CITY MANAGER CERTIFICATION