

**RESOLUTION NO. 2019-2626**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A LIMITED REVOCABLE LICENSE AGREEMENT WITH WAVEY ACAI BOWLS, LLC FOR OPERATION OF THE TOWN OF SURFSIDE'S FARMERS' MARKET; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Surfside ("Town") wishes to provide its residents and visitors with access to a local farmers' market; and

**WHEREAS**, the Town is the owner of a parcel of real property located at the northwest corner of 95<sup>th</sup> Street and Collins Avenue, Surfside, Florida (the "Property"), which Property is designated Folio Number 14-2235-007-0190; and

**WHEREAS**, Wavey Acai Bowls, LLC ("Licensee") has proposed to operate a farmers' market (the "Market") at the Town's Property; and

**WHEREAS**, the Town and Licensee desire to enter into a Limited Revocable License Agreement, in substantially the form attached hereto as Exhibit "A," (the "Agreement") for Licensee to operate the Market; and

**WHEREAS**, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:**

**Section 1. Recitals.** The above-stated recitals are true and correct and are incorporated herein by this reference.

**Section 2. Approval.** That the Town Commission approves the Agreement with Licensee in substantially the form attached hereto as Exhibit "A."

**Section 3. Authorization.** That the Town Manager is hereby authorized to execute the Agreement attached hereto as Exhibit "A," subject to approval by the Town Attorney as to form, content, and legal sufficiency. The Town Manager is authorized to enter into extensions of the Agreement without further approval of the Town Commission.

**Section 4. Implementation.** The Town Manager and/or designee are authorized to take any and all action necessary to implement the purposes of this Resolution and the Agreement.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** on this 13<sup>th</sup> day of August, 2019.

**Moved By:** Commissioner Paul

**Second By:** Commissioner Karukin

**FINAL VOTE ON ADOPTION**

Commissioner Barry Cohen	<u>Yes</u>
Commissioner Michael Karukin	<u>Yes</u>
Commissioner Tina Paul	<u>Yes</u>
Vice Mayor Daniel Gielchinsky	<u>Yes</u>
Mayor Daniel Dietch	<u>Yes</u>



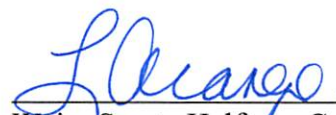
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Daniel Dietch  
Mayor

**ATTEST:**



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Sandra Novoa, MMC  
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



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Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney