

MEMORANDUM

Agenda Item No. 8(F)(1)

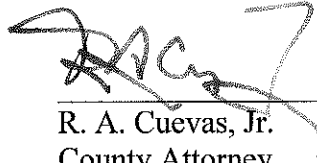
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing a retroactive third amendment to the lease agreement at the Joseph Caleb Community Center with the State of Florida Department of Children and Families to be utilized by its access division for the delivery of services to the community

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: November 8, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the name in the "From:" field.

Subject: Resolution Authorizing Execution of Retroactive Third Amendment to the Lease Agreement at the Joseph Caleb Community Center Located at 5400 NW 22 Avenue with the State of Florida Department of Children and Families

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution which authorizes the execution of a Retroactive Third Amendment to the Lease Agreement (Third Amendment) with of the State of Florida Department of Children and Families (DCF) for office space at the County-owned Joseph Caleb Community Center (Caleb Center). The Third Amendment does the following:

- extends the current lease by eleven months, from July 1, 2012 to May 31, 2013;
- decreases the square footage by 1,296 square feet, from 6,946 square feet to 5,650 square feet;
- reduces the time required for cancellation from 120 days to 60 days;
- provides a rent credit to DCF of \$2,160 per month from the effective date of this amendment back to January 1, 2012, which is the date that DCF vacated the 1,296 square feet of office space; and
- waives the provisions of Resolution R-1198-05, as amended by R-130-06, which requires that any contract of the County with third parties be finalized and executed prior to placement on a Board or committee agenda. The State of Florida, the third party in this Lease Agreement, requires that the County approve and execute the Third Amendment prior to their execution.

Scope

The Caleb Center is located at 5400 NW 22 Avenue, Miami, FL in Commission District 3.

Fiscal Impact/Funding Source

This Third Amendment will generate a net revenue amount of \$90,623.27 to the County. The revenues are comprised of rent payments by DCF totaling \$103,583.37 for the eleven month period (\$20.00 per square foot) less the credit due to DCF of \$12,960.00 for the reduced space utilized since January 1, 2012.

Track Record/Monitoring

The County has no record of negative performance issues with DCF. Miguel de la Torre, Asset Management and Development Officer in the Real Estate Development Division of the Internal Services Department, is the project's monitor.

Delegation of Authority

Authorizes the County Mayor or the County Mayor's designee to execute the attached Third Amendment; and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred therein.

Background

In September of 2011, DCF vacated 1,296 square feet of space located on the fourth floor of the Caleb Center due to budget cuts. DCF continued to pay the full rental amount due for the 6,946 square foot space due to the fact that the current Lease Agreement does not allow for the reduction of space or rent without Board approval. DCF and the County have agreed to a rent credit of \$2,160 per month retroactive to January 1, 2012.

There was a delay in the processing of this proposed amendment until such time as the schedule for the construction of the new branch court and parking at the Caleb Center was finalized, which would determine whether or not the tenants would be able to continue operating at the Caleb Center. During construction, very little onsite parking will be available at the Caleb Center making it very difficult for visitors to enter and exit the facility. Therefore, the extension of time authorized under the Third Amendment, rather than enter into a new lease for time, will accommodate DCF with the necessary space until construction begins.

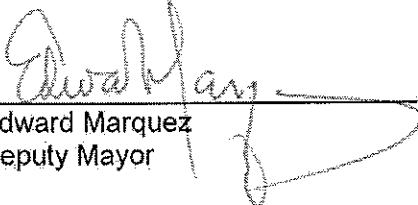
Additional details are as follows:

OWNER: Miami-Dade County

TENANT: DCF

LEASE CONDITIONS: This is a full service lease where the County is responsible for all utilities, heating, air conditioning, HVAC system maintenance, janitorial and custodial services, and plumbing and electrical lines. DCF is responsible for its own telephone services.

CURRENT LEASE: DCF has been at this location since 1987. The current Lease Agreement was approved by the Board on June 5, 2007 through R-665-08, which commenced on July 1, 2007 for five years with no renewal options. On November 20, 2008, through R-1160-08, the Board approved an amendment to reduce the leased square footage from 16,866 to 11,300 square feet. On December 1, 2009, through R-1357-09, the Board approved a second amendment to further decrease the square footage from 11,300 square feet to 6,946 square feet.


Edward Marquez
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)
11-8-12

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A RETROACTIVE THIRD AMENDMENT TO THE LEASE AGREEMENT AT THE JOSEPH CALEB COMMUNITY CENTER, 5400 NW 22 AVENUE, MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES TO BE UTILIZED BY ITS ACCESS DIVISION FOR THE DELIVERY OF SERVICES TO THE COMMUNITY; WAIVING THE PROVISION OF RESOLUTION NO. R-130-06 WHICH REQUIRES THAT ANY CONTRACT OF THE COUNTY WITH THIRD PARTIES BE FINALIZED AND EXECUTED PRIOR TO THEIR PLACEMENT ON A COUNTY COMMISSION OR COMMITTEE AGENDA; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, the State of Florida Department of Children and Families is a political subdivision of the State of Florida; and

WHEREAS, the State of Florida Department of Children and Families desires to continue using certain County-owned property located at the Joseph Caleb Community Center, 5400 NW 22 Avenue, Miami, for the delivery of services to the community; and

WHEREAS, Miami-Dade County is satisfied that the State of Florida Department of Children and Families does require a County-owned property for such use and the property is not otherwise needed for County purposes; and

WHEREAS, this Board finds that pursuant to Section 125.38 of the Florida Statutes, the lease of this property to the State of Florida Department of Children and Families serves the best interest of the County; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that :

Section 1. This Board approves a Retroactive Third Amendment to the Lease Agreement between Miami-Dade County and the State of Florida Department of Children and Families, for premises to be used by its ACCESS Division for the delivery of services to the community, in substantially the form attached hereto and made a part hereof, authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County; and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred therein.

Section 2. This Board authorizes waiving the provisions of Resolution No. R-130-06, as amended from time to time, requiring that any contracts of the County with third parties be finalized and executed prior to their placement on a County Commission or committee agenda for the reasons set forth in the attached memorandum.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

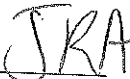
The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Juliette R. Antoine



STATE OF FLORIDA Agreement for Modification

Bureau of Leasing, Department of Management Services Form 4040

Lease Number: 590:2958

Modification Number: 3

WHEREAS, the Department of Children & Families, as Lessee, has previously entered into Lease Number 590:2958, on June 5th, 2007 which became effective July 1st, 2007 and consists of 6,946 square feet; the current Lessor being Miami-Dade County a political subdivision of the State of Florida

and WHEREAS, the current description of the leased premises is:

Joseph Caleb Community Center at 5400 NW 22 Avenue, Miami, Florida., Consisting of 1,296 sq. ft. on the 4th floor (north east conner, 5,650 sq ft. on the 5th floor (rooms 511-514)

and the covenants and conditions contained in the original State of Florida, Department of Management Services' Lease Agreement, as amended by the below modification(s) are hereby readopted and incorporated herein.

1. Agreement for Lease Renewal:

Lessor and Lessee agree that, pursuant to Article _____ of the Lease Agreement described above, the Lessee hereby exercises the option to renew Lease for a period of _____ year(s) beginning _____ and ending _____.

2. Agreement for Lease Extension:

Lessor and Lessee hereby agree to extend the term of the Lease Agreement described above for a period of 11 month(s), beginning July 1st, 2012 and ending May 31st, 2013.

3. Restructuring the Rental Rate:

Commencing _____, the Lease referenced above is amended to increase or decrease the rental rate per square foot per year paid to the Lessor by the Lessee to the amounts as specified in Article 6 of this agreement.

4. Increase or Decrease Square Footage:

Commencing July 1st, 2012, the Lease referenced above is amended to increase or decrease the square footage leased under this Lease by 1,296 square feet from 6,946 square feet to 5,650 square feet.

The description of added or deleted square footage is: 1,296 sq. ft. on the 4th floor (north east conner) and the rental rates, pursuant to this change, shall be as specified in article 6 of this Agreement.

5. Change the Renewal Option Terms:

Commencing _____, the Lease is hereby amended to change the renewal option periods from _____ year periods to _____ year periods.



STATE OF FLORIDA Agreement for Modification

Bureau of Leasing, Department of Management Services Form 4040

Lease Number: 590:2958

Modification Number: 3

6. Other:

(Use this section to specify terms not included in the sections above. If this box is not selected, no additional modifications are included.)

- A) Right to terminate, Article XXI is amended by granting the lessee the right to terminate, without penalty upon the giving of sixty (60) days advanced written notice.
- B) Apply a monthly credit of \$2,160.00 from January 1, 2012 through the approval date by the Miami-Dade Board of County Commissioners. 549

7. Effective Rental Rates -- Square Footage 5,650

Start (MM/DD/YYYY)	TERM		RATE PER SQUARE FOOT	MONTHLY RATE	ANNUAL RATE
		End (MM/DD/YYYY)			
07/01/2012	-	05/31/2013	\$20.00	\$9,416.67	\$113,000.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00
	-			\$0.00	\$0.00

Agreement to Incorporate Addendum

WHEREAS, both the Lessor and the Lessee wish to amend and modify said lease so as to incorporate Addendum _____ effective _____,

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained; the parties hereto hereby agree as follows:

Commencing _____, said lease is hereby amended and modified to incorporate Addendum _____.



STATE OF FLORIDA
Agreement for Modification
 Bureau of Leasing, Department of Management Services Form 4040

Lease Number: 590:2958

Modification Number: 3

IN WITNESS WHEREOF, the parties hereto have hereunto-executed this instrument for the purpose herein expressed, the _____, 2012.

ANY MODIFICATION OF A LEASE AGREEMENT SHALL NOT BECOME LEGALLY EFFECTIVE UNTIL APPROVED/ACCEPTED BY THE DEPARTMENT OF MANAGEMENT SERVICES.

ORIGINAL SIGNATURES REQUESTED ON ALL COPIES

As to Lessor – Lessor, or authorized representative and two witnesses must sign, print name and enter date.

X	_____	_____	_____
	Lessor or Authorized Representative	Printed Name/Title	Date
X	_____	_____	_____
	Witness #1	Printed Name	Date
X	_____	_____	_____
	Witness #2	Printed Name	Date

As to Lessee Agency – Agency head, or authorized delegate, and representative of Agency Office of General Counsel must sign, print name and enter date.

X	_____	Esther Jacobo, Managing Director	_____
	Agency Head or Authorized Delegate	Printed Name/Title	Date
X	_____	Javier Ley-Soto, Chief Legal Counsel	_____
	Agency Office of General Counsel	Printed Name	Date

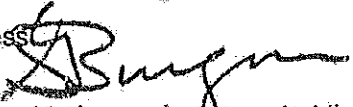
As to the Department of Management Services – Chief Real Property Administrator (or authorized designee) and Secretary (or authorized delegate) must sign, print name and enter date. When applicable, DMS Office of General Counsel shall sign, print name and enter date.

X	_____	_____	_____
	Chief Real Property Administrator	Printed Name/Title	Date
X	_____	_____	_____
	Secretary or Authorized	Printed Name	Date
X	_____	_____	_____
	DMS Office of General Counsel	Printed Name	Date

Memorandum



GO
Agenda Item No.
4(A)

Date: November 9, 2009
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
From: George M. Burgess
County Manager 
Subject: Second Amendment to Lease Agreement at the Joseph Caleb Community Center,
5400 N.W. 22 Avenue, Miami, with the State of Florida Department of Children and
Families
Property # 3115-06-09

RECOMMENDATION:

It is recommended that the Board approve the attached resolution authorizing execution of a Second Amendment to Lease Agreement for office space located at the Joseph Caleb Community Center, 5400 N.W. 22 Avenue, Miami, with State of Florida Department of Children and Families. The attached Second Amendment to Lease Agreement has been prepared by General Services Administration.

PROPERTY: Joseph Caleb Community Center
5400 N.W. 22 Avenue, Rooms 402-405 and Rooms 511-514, Miami

COMMISSION DISTRICT: 3

COMMISSION DISTRICTS IMPACTED: Countywide

OWNER: Miami-Dade County

TENANT: State of Florida Department of Children and Families

TENANT'S TRACK RECORD: This tenant is the State of Florida Department of Children and Families.

USE: 6,946 rentable square feet of air-conditioned office space.

PURPOSE OF AMENDMENT:

- a) Commencing January 1, 2010 through June 30, 2012, the lease is amended to decrease the square footage of the Demised Premises from 11,300 square feet to 6,946 square feet, a reduction of 4,354 square feet.
- b) Commencing January 1, 2010 through June 30, 2010, the lease is amended to decrease the monthly rental rate to reflect the reduction in space from \$17,891.67 or \$214,700.00 annually, which is equal to \$19.00 per square foot to \$10,997.83 per month or \$131,974.00 annually, which is equal to \$19.00 per square foot.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page Two

b) Commencing July 1, 2010 through June 30, 2011, the rental rate per month shall be \$11,287.25 or \$135,447.00 annually, which is equal to \$19.50 per square foot. Commencing July 1, 2011 through June 30, 2012, the rental rate per month shall be \$11,576.67 or \$138,920.04 annually, which is equal to \$20.00 per square foot. These rates are consistent with the current lease agreement.

c) The Demised Premises of 6,946 square feet will consist of 1,296 square feet on the 4 Floor (North East corner) and 5,650 square feet on the 5 Floor (Rooms 511-514).

FINANCIAL IMPACT:

Due to the decrease in the square footage, the monthly rent generated by this lease will decrease initially by \$6,893.84 from \$17,891.67 to \$10,997.83 from January 1, 2010 to June 30, 2010.

**EFFECTIVE DATES
OF AMENDMENT:**

This Second Amendment to Lease Agreement shall become effective January 1, 2010 and as stipulated in the current Lease Agreement shall terminate on June 30, 2012.

CURRENT LEASE:

The current lease agreement was approved by the Board on June 5, 2007 by Resolution No. R-665-07. The lease is for a five-year period with no renewal option periods. Resolution No. R-1160-08 approved on November 20, 2008 decreased the leased square footage from 16,866 square feet to 11,300 square feet. The current monthly revenue is \$17,891.67 or \$214,700.00, which is equal to \$19.00 per square foot.

COMMENTS:


Attached for your information is a copy of the previously approved resolution and memorandum with data concerning the lease.

MONITOR:

Tania Llado, Chief Real Estate Officer

DELEGATED AUTHORITY:

The County Mayor or his designee is authorized to execute an Amendment to Lease Agreement and to exercise the cancellation provision.


Wendi J. Norris,
Director
General Services Administration



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 1, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
10-6-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO LEASE AGREEMENT AT THE JOSEPH CALEB COMMUNITY CENTER, 5400 N.W. 22 AVENUE, MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES FOR PREMISES TO BE UTILIZED BY ITS ACCESS DIVISION; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, The State of Florida Department of Children and Families is a political subdivision of the State of Florida; and

WHEREAS, The State of Florida Department of Children and Families desires to continue using certain county-owned property located at 5400 N.W. 22 Avenue, Miami, for the delivery of services to the community; and

WHEREAS, the County is satisfied that The State of Florida Department of Children and Families does require a county-owned property for such use and the property is not otherwise needed for County purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the Second Amendment to Lease Agreement between Miami-Dade County and the State of Florida Department of Children and Families for premises to be used by its ACCESS Division for the delivery of services to the community, in substantially the form attached hereto and made a part hereof; authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County; and authorizes the County Mayor or County Mayor's designee to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JRA

Juliette R. Antoine



STATE OF FLORIDA

DEPARTMENT OF MANAGEMENT SERVICES
AGREEMENT FOR MODIFICATION TO
INCREASE OR DECREASE SQUARE FOOTAGE

LEASE NO. 590:2958
MODIFICATION NO. 2

WHEREAS, the Department of Children And Families, as Lessee, has previously entered into Lease Number 590:2958, on June 5, 2007, effective July 1, 2007, which now consists of 11,300 square feet; the current Lessor being Miami-Dade County; and

WHEREAS, the current description of the leased premises is:

JOSEPH CALEB COMMUNITY CENTER AT 5400 NW 22 AVENUE, MIAMI, FLORIDA,
CONSISTING OF 5,650 SQ. FT. ON THE 4 FLOOR (402-405), 5,650 SQ. FT. ON THE 5
FLOOR (ROOMS 511-514).

; and

WHEREAS, the Lessee has determined that a decrease in the amount of square footage covered by the lease effective January 1, 2010; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the parties agree as follows:

1. Commencing January 1, 2010 the lease is amended to decrease the amount of square feet provided by the Lease from 11,300 square feet to 6,946 square feet, thereby resulting in a net decrease of 4,354 square feet of space. The description of deleted square footage is: 4,354 SQ FT. IN THE 4th FLOOR OF THE JOSEPH CALEB COMMUNITY CENTER

; and

2. Corresponding with such decrease in square footage, the lease is hereby further amended to decrease the total rent moneys being paid to the Lessor by the Lessee to the amounts shown on the revised rent schedule addendum attached hereto; and description of the leased square footage is described as:

JOSEPH CALEB COMMUNITY CENTER AT 5400 NW 22 AVENUE, MIAMI, FLORIDA., CONSISTING OF 1,296 SQ. FT. ON THE 4 FLOOR (NORTH EAST CONNER), 5,650 SQ. FT. ON THE 5 FLOOR (ROOMS 511-514).

, and

3. The covenants and conditions contained in the original State of Florida, Department of Management Services' Lease Agreement No: 590:2958, as amended by the above modification are hereby readopted and incorporated herein.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this instrument for the purpose herein expressed, this 17 day of August, 2009.

ANY MODIFICATION OF A LEASE AGREEMENT SHALL NOT BECOME LEGALLY EFFECTIVE UNTIL APPROVED/ACCEPTED BY THE DEPARTMENT OF MANAGEMENT SERVICES.

ORIGINAL SIGNATURES REQUESTED ON ALL COPIES

Signed, sealed and delivered in the presence of: _____ Witness Signature _____ Print or Type Name of Witness _____ Witness Signature _____ Print or Type Name of Witness AS TO LESSOR	LESSOR, IF INDIVIDUAL (S): _____ (SEAL) _____ Print or Type Name _____ (SEAL) _____ Print or Type Name	
Signed, sealed and delivered in the presence of: _____ Witness Signature _____ Print or Type Name of Witness _____ Witness Signature _____ Print or Type Name of Witness As to President, General Partner, Trustee	Name of Corporation, Partnership, Trust, etc.: MIAMI DADE COUNTY A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA By: _____ (SEAL) ATTEST: _____ (SEAL) <i>Clerk of the Board</i>	
Signed, sealed and delivered in the presence of: <i>Felix Gago</i> Witness Signature FELIX GAGO Print or Type Name of Witness _____ <i>Thomas Farnick</i> Witness Signature Thomas Farnick Print or Type Name of Witness AS TO LESSEE	LESSEE: STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES By: <i>Jacqueline Colyer</i> Jacqueline B. Colyer Print or Type Name SOUTHERN REGION DIRECTOR Print or Type Title	
APPROVED AS TO CONDITIONS AND NEED THEREFOR DEPARTMENT OF MANAGEMENT SERVICES _____ Chief, Real Property Administrator Division of Real Estate Development and Management _____ Director Division of Real Estate Development and Management APPROVAL DATE: _____	APPROVED AS TO FORM AND LEGALITY, SUBJECT ONLY TO FULL AND PROPER EXECUTION BY THE PARTIES GENERAL COUNSEL DEPARTMENT OF MANAGEMENT SERVICES By: _____ _____ Print or Type Name APPROVAL DATE: _____	APPROVED AS TO FORM AND LEGALITY, SUBJECT ONLY TO FULL AND PROPER EXECUTION BY THE PARTIES GENERAL COUNSEL DEPARTMENT OF CHILDREN AND FAMILIES By: <i>Javier Soto</i> Javier Soto CHIEF REGIONAL LEGAL COUNSEL APPROVAL DATE: 6-19-09

REVISED RENT SCHEDULE ADDENDUM

Lease No. 590:2958

Rental Rate Schedule

Effective 01/01/10

6,946 Square Feet

<u>TERM</u>	<u>AMOUNT PER SQ.FT.</u>	<u>MONTHLY RENTAL</u>
01/01/10 – 06/30/10	\$19.00	\$10,997.83 Ten thousand nine hundred ninety seven dollars and eighty three cents.
07/01/10 – 06/30/11	\$19.50	\$11,287.25 Eleven thousand two hundred eighty-seven dollars and twenty five cents.
07/01/11 – 06/30/12	\$20.00	\$11,576.67 Eleven thousand five hundred seventy six dollars and sixty seven cents.

LESSOR:

MIAMI-DADE COUNTY A POLITICAL SUBDIVISION
OF THE STATE OF FLORIDA

LESSEE:

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES



Jacquie J. Colyer,
Southern Region Director

Memorandum



Date: November 20, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)(F)

From: George M. Burgess
County Manager

Resolution No. R-1160-08

Subject: Retroactive Amendment to Lease Agreement at the Joseph Caleb
Community Center, 5400 N.W. 22 Avenue, Suites 402-405 and 511-514
Miami for State of Florida Department of Children and Families
Property # 3115-06-09

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of a Retroactive Amendment to Lease Agreement at the Joseph Caleb Community Center, 5400 N.W. 22 Avenue, Suites 402-405 and 511-514, Miami with the State of Florida Department of Children and Families. This Amendment has been prepared by General Services Administration at the request of the State of Florida Department of Children and Families. This amendment is retroactive due to the Program's immediate need to vacate a portion of the premises because of funding cuts. The State notified County staff that they had vacated the sixth floor on June 20, 2008 and would be forwarding the executed amendment. The amendment document, with an effective date of July 1, 2008, was received on August 8, 2008; therefore, it could not be submitted to the Board for approval before the effective date.

PROPERTY: Joseph Caleb Community Center
5400 N.W. 22 Avenue, Suites 402-405 and 511-514, Miami

COMMISSION DISTRICT: 3

COMMISSION DISTRICTS IMPACTED: Countywide

OWNER: Miami-Dade County

TENANT: State of Florida Department of Children and Families

TENANT'S TRACK RECORD: This tenant is the State of Florida Department of Children and Families.

USE: 11,300 rentable square feet of air-conditioned office space.

PURPOSE OF AMENDMENT: (a) To decrease the leased rentable square footage of the "Demised Premises" from 16,866 square feet to 11,300 square feet.

Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners
Page 2

(b) To decrease the monthly rent effective July 1, 2008 through June 30, 2009 to \$17,420.83, as a result of the decreased square footage. The current price per square foot will remain the same at \$18.50. The monthly rent effective July 1, 2009 through June 30, 2010 will be \$17,891.67, which is equal to \$19.00 per square foot. The monthly rent effective July 1, 2010 through June 30, 2011 will be \$18,362.50, which is equal to \$19.50 per square foot. The monthly rent effective July 1, 2011 through June 30, 2012 will be \$18,833.33, which is equal to \$20.00 per square foot.

(c) The Demised Premises of 11,300 square feet will consist of 5,650 square feet on the 4 Floor (Rooms 402-405) and 5,650 square feet on the 5 Floor (Rooms 511-514).

**EFFECTIVE DATES
OF AMENDMENT:**

Commenced on July 1, 2008 and will terminate June 30, 2012.

FINANCIAL IMPACT:

Due to the decrease in the square footage, the monthly rent generated by this lease will decrease by \$8,580.92 from \$26,001.75 to \$17,420.83.

CURRENT LEASE:

The current lease agreement was approved by the Board on June 5, 2007, by Resolution Number R-665-07. The Board approved a lease agreement for a five-year term, with no renewal option periods. The lease is for a five-year term and is currently in its second year. The current annual rental amount is \$26,001.75, which is equal to \$18.50 per square foot.

COMMENTS:

Attached for your information is a copy of the previously approved resolution and memorandum with information concerning the current Lease Agreement.

The State of Florida requires that the County utilize the State's amendment to lease form in leases with State agencies.

MONITOR:

Margaret Araujo, Real Estate Officer

DELEGATED AUTHORITY:

The County Mayor or the County Mayor's designee is authorized to execute a Retroactive Amendment to Lease Agreement and exercise the cancellation provision.


Wendi J. Norris
Director
General Services Administration

Approved _____

Mayor

Agenda Item No. 8(F)(1)(F)

Veto _____

11-20-08

Override _____

RESOLUTION NO. R-1160-08

RESOLUTION AUTHORIZING EXECUTION OF A RETROACTIVE AMENDMENT TO LEASE AGREEMENT AT THE JOSEPH CALEB COMMUNITY CENTER, 5400 N.W. 22 AVENUE, SUITES 402-405 AND 511-514, MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, FOR PREMISES TO BE UTILIZED AS ADMINISTRATIVE OFFICES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the Retroactive Amendment to Lease Agreement between Miami-Dade County and the State of Florida Department of Children and Families for premises to be utilized for administrative offices, in substantially the form attached hereto and made a part hereof; authorizes the County Mayor or the County Mayor's designee to execute same for and on behalf of Miami-Dade County; and authorizes the County Mayor or the County Mayor's designee to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner Barbara J. Jordan who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Diaz and upon being put to a vote, the vote was as follows:

Resolution No. R-1160-08
Agenda Item No. 8(F)(1)(F)
Page No. 2

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrlin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of November, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

By: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JRA

Juliette R. Antoine

Memorandum



Date: June 5, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)(A)

From: George M. Burgess
County Manager

Subject: Lease Agreement with the Florida Department of Children and Families
at Joseph Caleb Community Center, 5400 N.W. 22 Avenue, Miami,
Property # 3115-06-09

RECOMMENDATION:

It is recommended that the Board approve the attached resolution authorizing execution of a Lease Agreement at the Joseph Caleb Community Center, 5400 N.W. 22 Avenue, Miami with the Florida Department of Children and Families for premises to be utilized by its ACCESS Division for the delivery of social services to the community. The Lease Agreement has been prepared by the State of Florida and reviewed by General Services Administration.

PROPERTY:

Joseph Caleb Community Center
5400 N.W. 22 Avenue, Floors 4, 5 and 6

COMMISSION DISTRICT:

3

COMMISSION DISTRICTS IMPACTED:

Countywide

OWNER:

Miami-Dade County

PROPOSED TENANT:

Florida Department of Children and Families

PROPOSED TENANT:

The Department of Business Development has no record on file for the Florida Department of Children and Families.

USE:

16,866 square feet of air conditioned office space.

JUSTIFICATION:

The Florida Department of Children and Families has a need to continue utilizing this facility for the offices of its ACCESS Division in order to continue the delivery of critical social services to the community. The Department has been at this location for the past twenty-two years.

LEASE TERM:

Five years with no renewal option periods.

RENTAL RATE:

The annual rent for the first lease year is \$305,274.60, which is equal to \$18.10 per square foot and increases to \$18.50 per square foot during the second year, \$19.00 per square foot during the third year, \$19.50 per square foot during the fourth year, and \$20.00 per square foot during its last and fifth year.

Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners
Page 2

LEASE CONDITIONS:

Full service lease. The County is responsible for all maintenance and/or repair expenses, utilities, janitorial and custodial services.

EFFECTIVE DATES:

Commencing July 1, 2007 and terminating June 30, 2012.

CANCELLATION PROVISION:

In the event that a State-owned building becomes available, the State may cancel this agreement upon submission of a written notice 180 days prior to vacate.

CURRENT LEASE:

The current Lease Agreement was approved by the Board on July 23, 2002, by Resolution No. R-015-02. It commenced on July 1, 2002 for five years with no renewal options. Resolution No. R-303-04 approved March 16, 2004, decreased the leased space from 18,023 to 16,866 square-feet. The annual rental rate for the last year of the lease is \$305,274.60, which equals \$18.10 per square foot.

MONITOR:

Tania Llado, Chief Real Estate Officer


Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F) (1) (a)
06-05-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-665-07

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT THE JOSEPH CALEB COMMUNITY CENTER, 5400 N.W. 22 AVENUE, MIAMI, WITH THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, FOR PREMISES TO BE UTILIZED BY ITS ACCESS DIVISION; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the Lease Agreement between Miami-Dade County and Florida Department of Children and Families for premises to be utilized by its ACCESS Division for the delivery of services to the community, in substantially the form attached hereto and made a part hereof; authorizes the County Mayor or his designee to execute same for and on behalf of Miami-Dade County; and authorizes the County Mayor or his designee to exercise any and all other rights conferred therein.

The foregoing resolution was offered by Commissioner Sally A. Heyman who moved its adoption. The motion was seconded by Commissioner Bruno A. Barreira and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye
Barbara J. Jordan, Vice-Chairwoman	aye
Jose "Pepe" Diaz	absent
Carlos A. Gimenez	aye
Jose A. Martinez	aye
Dorin D. Rolle	aye
Katy Sorenson	aye
Sen. Javier D. Souto	absent
Audrey M. Edmonson	aye
Sally A. Heyman	aye
Dennis C. Moss	aye
Natacha Seijas	aye
Rebeca Sosa	aye

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

KAY SULLIVAN

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo