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

Memorandum

MIAMI-DADE COUNTY

Date: November 20, 2008

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

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

Resolution No. R-1160-08

From: George M. Burgess
County Manager

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.

(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

MEMORANDUM

(Revised)

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

DATE: November 20, 2008

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

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

Please note any items checked.

_____ "4-Day Rule" ("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

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)(F)
11-20-08

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:

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
Dorrin 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

MIAMI-DADE COUNTY

Date: June 5, 2007

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

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

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.

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 submittal 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-815-02. 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. Barreiro 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	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

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

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

By KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MR

Monica Rizo

STATE OF FLORIDA

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

LEASE NO. 590:2958
MODIFICATION NO. **1**

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 16,866 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), 5,566 SQ. FT. ON THE 6 FLOOR (ROOMS 600, 601,603,604, 618)

; and

WHEREAS, the Lessee has determined that a decrease in the amount of square footage covered by the lease effective July 1, 2008; and

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*Delete or line through appropriate word.

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

1. Commencing July 1, 2008 the lease is amended to decrease the amount of square feet provided by the Lease from 16,866 square feet to 11,300 square feet, thereby resulting in a net decrease of 5,566 square feet of space. The description of deleted square footage is:

5,566 SQUARE FEET ON THE 6 FLOOR ROOMS 600, 601, 603, 604, 618

; 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 5,650 SQ. FT. ON THE 4 FLOOR (402-405), 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.

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LEASE NO.:590:2958
MODIFICATION NO.:1

IN WITNESS WHEREOF, the parties hereto have hereunto executed this instrument for the purpose herein expressed, this _____ day of **June , 20 08** .

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) Its President, General Partnership, Trustee ATTEST: _____(SEAL) Its Secretary
Signed, sealed and delivered in the presence of: Felix Gayo Witness Signature FELIX GAYO Print or Type Name of Witness Ms. Fuller Witness Signature Thomas Franklin Print or Type Name of Witness AS TO LESSEE	LESSEE: STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES By: Gilda P Ferradaz GILDA P. FERRADAZ _____ Print or Type Name DEPUTY REGIONAL DIRECTOR Print or Type Title

APPROVED AS TO CONDITIONS AND NEED THEREFORE 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: _____ Javier Ley-Soto _____ Print or Type Name Acting Legal Counsel APPROVAL DATE: 7-10-08

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*Delete or line through appropriate word.

REVISED RENTAL ADDENDUM

Lease No. 590:2958

Rental Rate Schedule

Effective 07/01/08

11,300 Square Feet

TERM	AMOUNT PER SQ.FT.	MONTHLY RENTAL
07/01/08 – 06/30/09	$18.50	$17,420.83 Seventeen thousand four hundred twenty dollars and eighty three cents
07/01/09 – 06/30/10	$19.00	$17,891.67 Seventeen thousand eight hundred Ninety one dollars and sixty seven cents
07/01/10 – 06/30/11	$19.50	$18,362.50 Eighteen thousand three hundred sixty two dollars and fifty cents
07/01/11 – 06/30/12	$20.00	$18,833.33 Eighteen thousand eight hundred thirty three dollars and thirty three cents.

LESSOR:

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

LESSEE:

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES

GILDA P. FERRADAZ
DEPUTY REGIONAL DIRECTOR