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

Memorandum

MIAMI-DADE COUNTY

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

Date: June 30, 2009

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

From: George M. Burgess
County Manager

Resolution No. R-913-09

Subject: Amendment to Lease Agreement at the Allapattah Neighborhood Service Center, 1897 N.W. 20 Street, Miami with the State of Florida Department of Juvenile Justice
Property # 3127-03-02

This agenda item was amended at the June 10, 2009 Housing and Community Development Committee meeting to correct a scrivener's error in the financial impact reducing it from $7,711.06 to 7,086.06.

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of a Amendment to Lease Agreement for office space located at the Allapattah Neighborhood Service Center, 1897 N.W. 20 Street, Miami, with State of Florida Department of Juvenile Justice. The attached Amendment to Lease Agreement has been prepared by General Services Administration at the request of the Department of Human Services (DHS).

PROPERTY:	Allapattah Neighborhood Service Center 1897 N.W. 20 Street, Suites 102, 106, 109, 120 and the northeast area of the main building, Miami
COMMISSION DISTRICT:	3
OWNER:	Miami-Dade County
USE:	2,562 square feet of office space.
PURPOSE OF AMENDMENT:	a) Commencing July 1, 2009 through March 31, 2010, the lease agreement is amended to decrease the rental rate per month from $3,960.43 or $47,525.16 per year, which is equal to $18.55 per square foot to $3,667.93 or $44,015.16 per year, which is equal to $17.18 per square foot. b) Commencing April 1, 2010 through March 31, 2011, the lease agreement is amended to decrease the rental rate per month from $4,041.56 or $48,498.72, which is equal to $18.93 per square foot to $3,667.93 or $44,015.16, which is equal to $17.18 per square foot. c) Commencing April 1, 2011 the rental rate per month will be upon the same terms and conditions as stipulated in the lease agreement.

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JUSTIFICATION:

The State of Florida Department of Juvenile Justice (DJJ) has been at this location since February 5, 1980 and has a need to continue utilizing this facility to provide a variety of services to the community, including counseling to troubled youths and their families. Senate Bill 2A mandates that DJJ work with its lessors to get the rental rates reduced at existing locations to help reduce the State's deficit. Article XVIII "Availability of Funds" of the current lease agreement stipulates that the State of Florida's performance and obligation to pay under this lease agreement is contingent upon an annual appropriation by the Legislature, Florida Statute 255.2502. The rent reduction will not impact the Department of Human Services' ability to cover its operating expenses at this facility.

Furthermore, DJJ manages a State facility located at 3300 N.W. 27 Avenue, which currently leases space to Miami-Dade County, Administrative Office of the Courts. DJJ under the lease agreement would have increased the rental rate from $17.67 per square foot to $18.65 per square foot commencing November 1, 2009. The State has agreed to not increase the rent for the next two years starting November 1, 2009 through October 31, 2011, thereby providing a savings of $88,788.48 to Miami-Dade County.

FINANCIAL IMPACT:

Annual revenue to the County will be reduced by $877.50 for Fiscal Year 08-09, $3,966.78 for Fiscal Year 09-10 and $2,241.78 for Fiscal Year 10-11, for a total financial impact of $7,086.06 in lost revenue.

EFFECTIVE DATES OF AMENDMENT:

This Amendment to Lease Agreement shall become effective July 1, 2009 and shall terminate on March 31, 2011 as stipulated in the current Lease Agreement.

CURRENT LEASE:

The current lease agreement was approved by the Board on March 3, 2006 by Resolution No. R-254-06. The lease is for a five-year period with three additional two-year renewal option periods. The current monthly revenue is $3,960.43 or $47,525.16, which is equal to $18.55 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

Approved _____ Mayor
Veto _____
Override _____

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

03-07-06

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

RESOLUTION NO. R-254-06

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT THE ALLAPATTAH NEIGHBORHOOD SERVICE CENTER, 1897 N.W. 20 STREET, MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF JUVENILE JUSTICE FOR PREMISES TO BE UTILIZED BY THE DIVISION OF CIRCUIT 11, BUREAU OF PROBATION AND COMMUNITY CORRECTIONS; AND AUTHORIZING THE COUNTY MANAGER 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 The State of Florida Department of Juvenile Justice for premises to be utilized by the Division of Circuit 11, Bureau of Probation and Community Corrections, in substantially the form attached hereto and made a part hereof; authorizes the County Manager to execute same for and on behalf of Miami-Dade County; and authorizes the County Manager to exercise any and all other rights conferred therein.

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

Joe A. Martinez, Chairman aye
Dennis C. Moss, Vice-Chairman aye

Bruno A. Barreiro	absent	Jose "Pepe" Diaz	aye
Audrey M. Edmonson	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	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 7th day of March, 2006. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

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.

Hugo Benitez

Memorandum

MIAMI-DADE COUNTY

Date: March 7, 2006

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

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

From: George M. Burgess
County Manager

Subject: Lease Agreement at 1897 N.W. 20 Street, Miami
for the State of Florida Department of Juvenile Justice
Property # 3127-03-02

The attached Lease Agreement was prepared by the State of Florida Department of Juvenile Justice, was reviewed by General Services Administration at the request of the Department of Human Services and is recommended for approval.

PROPERTY:	Allapattah Neighborhood Service Center 1897 N.W. 20 Street, Miami.
COMMISSION DISTRICT:	3
OWNER:	Miami-Dade County
PROPOSED TENANT:	State of Florida Department of Juvenile Justice
USE:	2,562 square feet of office space in Suites 102, 106, 109 and 120 and the northeast area of the main building.
JUSTIFICATION:	The State of Florida Department of Juvenile Justice (DJJ) has a need to continue utilizing this facility to provide a variety of its services to the community, including counseling to troubled youths and their families and to make recommendations to the State Attorney regarding youths charged with certain crimes. The program has been at this location since February 5, 1980.
LEASE TERM:	Five years, with three additional two-year renewal option periods.
RENTAL RATE:	The County will receive annual revenue for the first year in the amount of $44,758.20, which is equal to $17.47 per square foot. The annual revenue for the second year and every year thereafter, including the subsequent renewal option periods, will increase by 2% each year.
LEASE CONDITIONS:	Full service lease. The County is responsible for all utilities and maintenance charges, as well as for janitorial and custodial services.
EFFECTIVE DATES:	Commencing April 1, 2006 and terminating March 31, 2011.

CANCELLATION PROVISION:	The State may cancel with six months written notice in the event space becomes available in a State-owned facility.
CURRENT LEASE:	The current lease was approved by the Board on November 5, 1998, by Resolution No. R-1237-98. The lease commenced on November 1, 1998 for a seventeen month period and contained three additional two-year renewal option periods. The current lease expires on March 31, 2006.
COMMENTS:	Miami-Dade County is the owner is this facility. This lease generates revenue to the County.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: June 30, 2009

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

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

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 Mayor'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)(J)
6-30-09

RESOLUTION NO. R-913-09

RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO LEASE AGREEMENT AT THE ALLAPATTAH NEIGHBORHOOD SERVICE CENTER, 1897 N.W. 20 STREET, MIAMI, WITH THE STATE OF FLORIDA DEPARTMENT OF JUVENILE JUSTICE FOR PREMISES TO BE UTILIZED BY THE DIVISION OF CIRCUIT 11, BUREAU OF PROBATION AND COMMUNITY CORRECTIONS; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

WHEREAS, The State of Florida Department of Juvenile Justice is a political subdivision of the State of Florida; and

WHEREAS, The State of Florida Department of Juvenile Justice desires to continue using certain county-owned property located at 1897 N.W. 20 Street, Miami for premises to be used by the Division of Circuit 11, Bureau of Probation and Community Corrections; and

WHEREAS, the County is satisfied that The State of Florida Department of Juvenile Justice does require a county-owned property for such use and the property is not otherwise needed for County purposes; 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 this Board hereby approves the Amendment to Lease Agreement between Miami-Dade County and the State of Florida Department of Juvenile Justice for premises to be utilized by the Division of Circuit 11, Bureau of Probation and Community Corrections, 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 Dorrin D. Rolle, who moved its adoption. The motion was seconded by Commissioner Sally A. Heyman and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman absent

Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
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 **2nd day of July, 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: **DIANE COLLINS**
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 RESTRUCTURE THE RENTAL RATE

LEASE NO.: 800:0325
MODIFICATION NO.: 01

WHEREAS, the Department of Juvenile Justice, as Lessee, has previously entered into Lease Number 800:0325, on April 5, 2006 for a term commencing April 1, 2006, which now terminates the 31st day of March, 2011; 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:

Office space consisting of 2,562 square feet in suites 102, 106, 109, 120 and the Northeast area of the main building known as the Allapatah Neighborhood Service Center – 1897 NW 20th Street – Miami, FL. 33143

; and

WHEREAS, the Lessor and Lessee wish to amend the lease to decrease the rental rate per square foot per year effective July 1, 2009.

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

1. Commencing July 1, 2009, the lease is amended to decrease the rental rate per square foot per year paid to the Lessor by the Lessee to the amounts shown on the revised rent schedule addendum attached hereto; and

2. The covenants and conditions contained in the original lease as amended hereby are readopted and incorporated herein.

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

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 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: _____ Witness Signature _____ Print or Type Name of Witness _____ Witness Signature _____ Print or Type Name of Witness AS TO LESSEE	LESSEE: STATE OF FLORIDA DEPARTMENT OFJUVENILE JUSTICE By:_____ Richard L. Haire, Director Purchasing, Leasing and Land Acquisitions Bureau of General Services

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 Juvenile Justice By: _____ Tonja White, Assistant General Counsel APPROVAL DATE: _____

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*Delete or line through appropriate word.

DEPARTMENT OF JUVENILE JUSTICE
LEASE NO.: 800:0325
LOCATION: Miami (Dade)
REVISED RENTAL RATE ADDENDUM "A"
2,562 square feet/net rentable

RENTAL RATES:

The Lessor shall be paid by the Lessee the following rates for the terms as specified below:

Rental from July 1, 2009 to and including March 31, 2010
9 Months Rent $33,011.37

Monthly Rental $3,667.93
(Three thousand – six hundred sixty-seven and 93/100 dollars)
Rate Per Square Foot $17.18

Rental from April 1, 2010 to and including March 31, 2011
Annual Rental $44,015.16
Forty-four thousand –fifteen and 16/100 dollars)
Monthly Rental $3,667.93
(Three thousand – six hundred sixty-seven and 93/100 dollars)
Rate Per Square Foot $17.18

LESSOR:	LESSEE:
Miami-Dade County, a political subdivision of the State of Florida	Department of Juvenile Justice
Signature	Richard L. Haire, Director Purchasing, Leasing & Land Acquisitions Bureau of General Services

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*Delete or line through appropriate word.