

Date: April 6, 2010
To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
From: George M. Burgess
County Manager
Subject: Amendment to Lease Agreement for Commissioner Carlos A. Gimenez'
District Office with Lisset Rigueiro and Alex Rigueiro for Property Located
at 6330 Manor Lane, Suite 100, South Miami
Property # 4036-00-00

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

 Resolution No. R-345-10

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of an Amendment to Lease Agreement for Commissioner Carlos A. Gimenez' district office located at 6330 Manor Lane, Suite 100, South Miami, with Lisset Rigueiro and Alex Rigueiro. The attached Amendment to Lease Agreement has been prepared by General Services Administration at the request of Commissioner Carlos A. Gimenez.

PROPERTY: 6330 Manor Lane, Suite 100, South Miami

COMMISSION DISTRICT: 7

OWNER: Lisset Rigueiro and Alex Rigueiro

USE: 2,600 square feet of air-conditioned office space.

PURPOSE OF AMENDMENT:

- a) To modify Article XVIII, "Option to Renew" changing the term from a one four-year renewal option period to a one three-year renewal option period.
- b) Commencing April 1, 2010 through March 31, 2011, the term of the lease agreement is amended to decrease the rental rate per month from \$4,909.67 or \$58,916.04 annually, which is equal to \$22.66 per square foot to \$4,116.67 or \$49,400.04 annually, which is equal to \$19.00 per square foot.
- c) Commencing April 1, 2011 through March 31, 2012, the term of the lease agreement is amended to decrease the rental rate per month from \$5,057.00 or \$60,684.00 annually, which is equal to \$23.34 per square foot to \$4,240.17 or \$50,882.04 annually, which is equal to \$19.57 per square foot.

d) Commencing April 1, 2012 through December 31, 2012, the lease agreement is amended to decrease the rental rate from \$5,208.67 per month or \$46,878.03 for this nine month period, which is equal to \$24.04 per square foot on an annual basis to \$4,359.33 per month or \$39,233.97 for this nine month period, which is equal to \$20.12 per square foot on an annual basis.

e) Alex Rigueiro is being added as Landlord to the Lease Agreement because the property is held jointly with Lisset Rigueiro.

JUSTIFICATION:

This is an existing lease agreement for Commissioner Carlos A. Gimenez district office. The Commissioner has a need to continue utilizing this facility as a district office.

FINANCIAL IMPACT:

Annual rental payment for Fiscal Year 2010-2011 will be reduced by \$9,516.00, annually; for Fiscal Year 2011-2012 annual rental payment will be reduced by \$9,801.96 annually; and annual rental payment for Fiscal Year 2012-2013 will be reduced by \$7,644.06 creating a total savings of \$26,962.02 for the three-year renewal option period.

**EFFECTIVE DATES
OF AMENDMENT:**

This Amendment to Lease Agreement shall become effective April 1, 2010 and shall terminate on December 31, 2012.

CURRENT LEASE:

The current lease agreement was approved by the Board on April 19, 2005 by Resolution No. R-453-05. The lease is for a four-year period with one additional four-year renewal option period. The current monthly payment is \$4,766.67 or \$57,200.04 annually, which is equal to \$22.00 per square foot.

COMMENTS:

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

MONITOR:

Jane Marie Hundertmark, Real Estate Officer

DELEGATED AUTHORITY:

Authorizes the County Mayor or County Mayor's designee to execute the amendment to lease agreement and 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: April 6, 2009

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

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

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

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

Veto _____

4-6-10

Override _____

RESOLUTION NO. R-345-10

RESOLUTION APPROVING AMENDMENT TO LEASE AGREEMENT AT 6330 MANOR LANE, SUITE 100, SOUTH MIAMI, WITH LISSET RIGUEIRO AND ALEX RIGUEIRO FOR PREMISES TO BE UTILIZED AS A COMMISSION DISTRICT OFFICE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENT AND 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 Amendment to Lease Agreement between Miami-Dade County and Lisset Rigueiro and Alex Rigueiro for premises to be utilized as a Commission District Office, 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 Jose "Pepe" Diaz, 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:

	Dennis C. Moss, Chairman	aye		
	Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	absent		Audrey M. Edmonson	absent
Carlos A. Gimenez	aye		Sally A. Heyman	aye
Barbara J. Jordan	aye		Joe A. Martinez	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 6th day of April, 2010. 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.

Monica Rizo

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AMENDMENT TO LEASE AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2010, by and between LISSET RIGUEIRO and ALEX RIGUEIRO, hereinafter called the "LANDLORD," and MIAMI-DADE COUNTY, a political subdivision of the State of Florida, herein called the "TENANT,"

WITNESSETH:

WHEREAS, by Resolution No. R-453-05, adopted by the Board of County Commissioners on April 19, 2005, the Board authorized a Lease Agreement between Lisset Rigueiro and Miami-Dade County for that certain property located at 6330 Manor Lane, Suite 100, South Miami, Florida; and

WHEREAS, Alex Rigueiro is being added to the Lease Agreement because Lisset Rigueiro and Alex Rigueiro own the property as joint tenants; and

WHEREAS, both LANDLORD and TENANT are desirous of amending said Lease as set forth below; and

NOW, THEREFORE, in consideration of the restrictions and covenants herein contained, it is agreed that the said Lease is hereby amended as follows:

- 1) Article XVIII, "Option to Renew" - The Lease Agreement will be modified to reflect the new terms and conditions for the one three-year renewal option period at the following annual rental rates per year:

Commencing April 1, 2010 through March 31, 2011, the lease agreement is amended to decrease the annual rental rate per month from \$4,909.67 or \$58,916.04 per year, which is equal to \$22.66 per square foot to \$4,116.67 or \$49,400.04 per year, which is equal to \$19.00 per square foot on an annual basis for the first year of the renewal option period.

Commencing April 1, 2011 through March 31, 2012, the lease agreement is amended to decrease the annual rental rate per month from \$5,057.00 or \$60,684.00 per year, which is equal to \$23.34 per square foot to \$4,240.17 or \$50,882.04 per year, which is equal to \$19.57 per square foot on an annual basis for the second year of the renewal option period.

Commencing April 1, 2012 through December 31, 2012, the lease agreement is amended to decrease the annual rental rate from \$5,208.67 per month or \$46,878.03 for this nine month period, which is equal to \$24.04 per square foot on an annual basis to \$4,359.33 per month or \$39,233.97 for this nine month renewal option period, which is equal to \$20.16 per square foot on an annual basis.

In all other respects the said Lease shall remain in full force and effect in accordance with the terms and conditions specified therein.

IN WITNESS WHEREOF, the LANDLORD and TENANT have caused this Amendment to Lease Agreement to be executed by their respective and duly authorized officers the day and year first above written.

Jane Hundertmark
WITNESS

James Feurtado
WITNESS
James Feurtado

By: *Lisset Rigueiro*
Lisset Rigueiro (LANDLORD)

By: *Alex Rigueiro*
Alex Rigueiro (LANDLORD)

(OFFICIAL SEAL)

ATTEST:
HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Carlos Alvarez
Mayor (TENANT)

Approved by County Attorney as to
form and legal sufficiency: _____

Prepared by: Jane M. Hundertmark
Real Estate Officer
General Services Administration

Approved _____ Mayor
Veto _____
Override _____

Not On
Agenda Item No. 14(A)(4)
04-19-05

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

RESOLUTION NO. R-453-05

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 6330 MANOR LANE, SOUTH MIAMI, WITH LISSET RIGUEIRO, FOR PREMISES TO BE UTILIZED AS A COMMISSION DISTRICT OFFICE; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

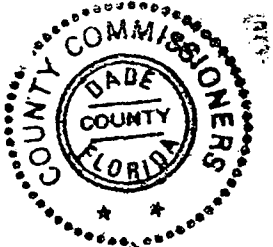
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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 Lisset Rigueiro, for premises to be utilized as a Commission District Office, 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 Sally A. Heyman, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez 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	aye	Dr. Barbara Carey-Shuler	absent
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	absent
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 19th day of April, 2005. 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

Approved by County Attorney as
to form and legal sufficiency. 1/10/05

By: **KAY SULLIVAN**
Deputy Clerk

Hugo Benitez

Memorandum

MIAMI-DADE
COUNTY

Date: April 19, 2005

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

From: George M. Burgess
County Manager

Subject: Lease Agreement at 6330 Manor Lane, South Miami, for
District Office of Commissioner Carlos A. Gimenez
Property # 4036-00-00

Not On
Agenda Item No. 14(A)(4)

The attached Lease Agreement has been prepared by the General Services Administration at the request of Commissioner Carlos A. Gimenez and is recommended for approval.

PROPERTY: 6330 Manor Lane, South Miami.

OWNER: Lisset Rigueiro - 100 %

USE: 2,600 rentable square feet of air-conditioned first floor office space.

JUSTIFICATION: This space will be utilized as a district office for the Commissioner representing District 7. The space is located in a newly remodeled office building, which is centrally located and easily accessible to the constituents of District 7.

LEASE TERM: Four years with one additional four-year renewal option period.

RENTAL RATE: Annual rent for the first year is \$46,800.00, which is equal to \$18.00 per square foot. Annual rent for the second year is \$52,000.00, which is equal to \$20.00 per square foot. Annual rent for the third year is \$54,600.00, which is equal to \$21.00 per square foot. Annual rent for the fourth year is \$57,200.00, which is equal to \$22.00 per square foot. The annual rent for the renewal option period shall be increased by three percent (3%) each year of the renewal period.

FINANCIAL IMPACT: The total financial impact for the first year of the lease term is estimated to be \$69,034.00, which is comprised of the following cost components:

Annual rent	-	\$46,800.00
Lease Management	-	\$ 3,744.00
Electricity	-	\$ 3,900.00

Janitorial & Custodial	-	\$ 2,340.00
Phones/Data Installation	-	<u>\$12,250.00</u>
Total Estimate		\$69,034.00

LEASE CONDITIONS:

The County shall be responsible for the interior of the demised premises, including electricity, janitorial and custodial services. The Landlord shall be responsible for water, waste disposal, trash disposal services, HVAC repairs, exterior of the building, roof, plumbing lines, electrical lines, fixtures, equipment, common areas, parking area, landscape area and surrounding realty. The County will reimburse the landlord for its pro-rata share of any increase in ad valorem taxes to the extent these taxes exceed the base year of 2005.

EFFECTIVE DATES:

Commencing upon the effective date of the resolution of the Board of County Commissioners approving this lease agreement and acceptance of leased space following the completion of alterations and terminating four years thereafter.

CANCELLATION PROVISION:

Tenant may cancel, after the initial four-year term and within the first year after exercising the renewal option period, by giving 90 days prior written notice.

FUNDING SOURCE:

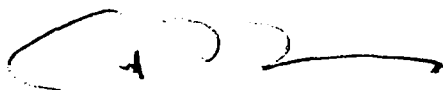
General Funds. This item has been budgeted in Commissioner Carlos A. Gimenez' operating budget.

**OTHER PROPERTIES
EVALUATED:**

6201 S.W. 70 Street - \$25.00 per square foot base rent, plus build-out costs.

7211 S.W. 62 Avenue - \$24.00 per square foot base rent, plus build-out costs.

5901 S.W. 74 Street - \$22.00 per square foot base rent, plus \$3.50 per square foot for pro-rata share of Common Area Maintenance (CAM), plus build-out costs.



Assistant County Manager

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