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

Memorandum

MIAMI-DADE COUNTY

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

Resolution No. R-480-10

Date: May 4, 2010

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

From: George M. Burgess, County Manager

Subject: Second Amendment to Lease Agreement for Commissioner Barbara J. Jordan District Office with Dade Corners Plaza, Inc. for Property Located at 2780 N.W. 167 Street, Miami Gardens Property # 2116-00-00

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of a Second Amendment to Lease Agreement for Commissioner Barbara J. Jordan's district office located at 2780 N.W. 167 Street, Miami, with Dade Corners Plaza, Inc. The attached Second Amendment to Lease Agreement has been prepared by General Services Administration at the request of Commissioner Barbara J. Jordan.

PROPERTY:	2780 N.W. 167 Street, Miami Gardens
COMMISSION DISTRICT:	1
OWNER:	Dade Corners Plaza, Inc.
COMPANY PRINCIPALS:	Jorge I. Almirall – 100%
USE:	2,600 square feet of air-conditioned office space.
PURPOSE OF AMENDMENT:	a) To modify Article XIX, "Option to Renew" to reflect the reduced rental rate for the remaining years of the one four-year renewal option period. Commencing March 1, 2010 through September 30, 2013, the term of the lease agreement is amended to decrease the rental rate per month from $4,134.00 or $49,608.00 annually, which is equal to $19.08 per square foot to $3,339.00 or $40,068.00 annually, which is equal to $15.41 per square foot.
JUSTIFICATION:	This is an existing lease agreement for Commissioner Barbara J. Jordan district office. The Commissioner has a need to continue utilizing this facility as a district office.

FINANCIAL IMPACT:	Annual rental payments will be reduced by $5,565.00 for Fiscal Year 2009-2010, $9,540.00 for Fiscal Year 2010-2011, $9,540.00 for Fiscal Year 2011-2012, and $9,540.00 for Fiscal Year 2012-2013, generating a total savings of $34,185.00 for the remaining three-years and seven months of the lease.
EFFECTIVE DATES OF AMENDMENT:	This Second Amendment to Lease Agreement shall become effective March 1, 2010 and shall terminate on September 30, 2013.
CURRENT LEASE:	The current lease agreement was approved by the Board on April 19, 2005 by Resolution No. R-371-05. The lease is for a four-year period with one additional four-year renewal option period. Resolution No. R-779-05 approved on June 21, 2005 increased the square footage of the demised premises by 500 square feet. The current monthly payment is $4,134.00 or $49,608.00 annually, which is equal to $19.08 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 second amendment to lease agreement and exercise the cancellation provision.

Wendi J. Norris, Director
General Services Administration

Approved ___________ Mayor ___________ Agenda Item No.

Veto ___________ 04-05-05

Override ___________

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

RESOLUTION NO. R-371-05

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 16650 N.W. 27 AVENUE, MIAMI, WITH DADE CORNERS PLAZA, INC., A FLORIDA CORPORATION, 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 Dade Corners Plaza, Inc., a Florida Corporation, 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 Rebeca Sosa 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	aye
Jose "Pepe" Diaz	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 5th day of April, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

By: KAY SULLIVAN
Deputy Clerk

Memorandum MIAMI-DADE COUNTY

Date: April 05, 2005

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

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

From: George M. Burgess
County Manager

Subject: Lease Agreement at 16650 N.W. 27 Avenue, Miami
for Commissioner Barbara J. Jordan's District Office
Property # 2116-00-00

The attached Lease Agreement has been prepared by the General Services Administration at the request of Commissioner Barbara J. Jordan and is recommended for approval.

PROPERTY:	16650 N.W. 27 Avenue, Miami.		
OWNER:	Dade Corners Plaza, Inc. A Florida Corporation		
COMPANY PRINCIPALS:	Jorge Almirall	-	20%
	Jose Almirall	-	20%
	Isidro Almirall	-	20%
	Allen Steinberg	-	20%
	Roger Rand	-	20%
USE:	2,100 rentable square feet of air-conditioned store front office space.		
JUSTIFICATION:	This space will be utilized as a district office for the Commissioner representing District 1. The space is located in a newly constructed shopping center, which is centrally located and easily accessible to the constituents of District 1.		
LEASE TERM:	Four years with one additional four-year renewal option period.		
RENTAL RATE:	Annual base rent is $37,800.00, which is equal to $18.00 per square foot. Annual Common Area Maintenance (CAM) is $4,200.00, which is equal to $2.00 per square foot on an annual basis. The annual base rent and CAM for the second to the fourth years of the lease term will remain		

the same. In addition, throughout the initial four year lease term the County shall reimburse landlord $10,500.00 per year for build out costs, which is equal to $5.00 per square foot on an annual basis.

The annual base rent for the four-year renewal option period shall be $19.08 per square foot on an annual basis and the Common Area Maintenance (CAM) shall remain at $2.00 per square foot.

The total financial impact for year one of the lease agreement is estimated to be $67,459.00, which is comprised of the following:

Annual base rent	$37,800.00
CAM	$ 4,200.00
Build-out cost	$10,500.00
Lease Management	$ 3,024.00
Electricity	$ 3,675.00
Janitorial & Custodial	$ 1,260.00
Phones/Data Installation	$ 7,000.00
Total Estimate	$67,459.00

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.

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 any portion, after the initial term by giving 90 days prior written notice.

FUNDING SOURCE: General Funds. This item has been budgeted in Commissioner Barbara J. Jordan's operating budget.

OTHER PROPERTIES EVALUATED:

1800 N.W. Miami Gardens Drive - $18.50 per square foot base rent, $5.50 psf CAM plus build-out costs.

755 N.W. 167 Street - $16.00 per square foot base rent, $5.00 psf CAM plus build-out costs.

900 N.W. 167 Street - $18.00 per square foot base rent, $5.50 psf CAM plus build-out costs.

Assistant County Manager

Approved ______________ Mayor

Veto ______________

Override ______________

Agenda Item No. 14(A)(34) YL

06-21-05

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

RESOLUTION NO. R-779-05

2780 N.W. 167 Street

RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE LEASE AGREEMENT AT ~~16650 N.W. 27 AVENUE,~~ MIAMI, WITH DADE CORNERS PLAZA, INC. A FLORIDA CORPORATION, FOR PREMISES 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 Amendment to the Lease Agreement between Miami-Dade County and Dade Corners Plaza, Inc., a Florida Corporation, 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 Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss 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	aye
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 21st day of June, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

COUNTY COMMISSIONERS DADE COUNTY FLORIDA

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

HARVEY RUVIN, CLERK

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

By: KAY SULLIVAN
Deputy Clerk

Thomas Goldstein

Memorandum

MIAMI-DADE COUNTY

Date: June 21, 2005

Agenda Item No. 14(A)(34)

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

From: George M. Burgess
County Manager

Subject: Amendment to Lease Agreement at
16650 N.W. 27 Avenue, Miami
for Commissioner Barbara J. Jordan District Office
Property # 2116-00-00

The attached amendment to the Lease Agreement has been prepared by the General Services Administration at the request of Commissioner Barbara J. Jordan and is recommended for approval.

PROPERTY: 16650 N.W. 27 Avenue, Miami.

OWNER: Dade Corners Plaza, Inc.
A Florida Corporation

COMPANY PRINCIPALS:

Jorge Almirall	-	20%
Jose Almirall	-	20%
Isidro Almirall	-	20%
Allen Steinberg	-	20%
Roger Rand	-	20%

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

JUSTIFICATION: Upon completion of the design of the space, staff requested that the space be measured to confirm the rentable square footage. It was discovered that the square footage referenced in the lease was 500 square feet less than the amount of space to be occupied. As a result of the increase in square footage, the annual rent will increase by $9,000, the Common Area Maintenance costs will increase by $1,000, and the build out costs will increase by $2,500. The amendment corrects the rentable square footage and the annual rental costs.

PURPOSE OF AMENDMENT:

1) To increase the leased square footage from 2,100 square feet to 2,600 square feet.
2) Although the per square foot cost does not increase, first year annual rent will increase from $37,800 to $46,800 due to the increased square footage. Likewise, annual Common Area Maintenance costs will increase from $4,200 to $5,200 and build out costs will increase from $10,500 to $13,000.

FINANCIAL IMPACT:	Due to the increase in square footage, total annual costs will increase by $12,500 and have been budgeted by Commissioner Jordan's office.
EFFECTIVE DATES OF AMENDMENT:	The terms of this Amendment to the Lease Agreement shall commence upon the later of (i) approval by the Board of County Commissioners, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override of this Board or (ii) the date that LANDLORD turns the demised premises over to TENANT, and terminating four (4) years thereafter.
CURRENT LEASE:	The current lease agreement was approved by the Board on April 5, 2005 by Resolution No. R-371-05. The lease is for a four year term with one (1) additional four (4) year renewal option period.
COMMENTS:	Attached for your information is a copy of the previously approved resolution and memorandum with data concerning the lease.

Alex T. Hudak
Assistant County Manager

MEMORANDUM

(Revised)

TO:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners	**DATE:**	May 4, 2010
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Agenda Item No. 8(F)(1)(C)

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)(C)
5-4-10

RESOLUTION NO. R-480-10

RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO LEASE AGREEMENT AT 2780 N.W. 167 STREET, MIAMI GARDENS, WITH DADE CORNERS PLAZA, INC., A FLORIDA CORPORATION, FOR PREMISES TO BE UTILIZED AS A COMMISSION DISTRICT OFFICE, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE 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 Second Amendment to Lease Agreement between Miami-Dade County and Dade Corners Plaza, Inc., a Florida corporation, 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 Dorrin D. Rolle, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss 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	absent
Barbara J. Jordan	aye	Jose 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 4th day of May, 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

SECOND AMENDMENT TO LEASE AGREEMENT

THIS AGREEMENT made this day of , 2010, by and between DADE CORNERS PLAZA, INC., a Florida Corporation, 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-371-05, adopted by the Board of County Commissioners on April 05, 2005, the Board authorized a Lease, attached hereto as Exhibit "A", (the "Lease") between the above named parties for that certain property located at 2780 N.W. 167 Street, Miami, Florida; and

WHEREAS, by Resolution No. R-779-05, adopted by the Board of County Commissioners on June 21, 2005, the Board authorized an Amendment to increase the square footage of the demised premises by 500 square feet,. and

WHEREAS, the Lease has been renewed for an additional four-year period, which commenced October 1, 2009 and terminates September 30, 2013 under the same terms and conditions; and

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

WHEREAS, by Resolution No. , adopted on , 2010, the Board of County Commissioners has authorized this Second Amendment to Lease; and

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

AGREEMENT

1. The foregoing recitals and provisions are hereby adopted and incorporated herein to the Lease.
2. The following paragraphs shall supersede and replace the referenced Articles in the Lease as of the effective date;

3. Article XIX, "Option to Renew" of the Lease is hereby amended to reflect the new terms and conditions for the remaining years of the Lease period at the following annual rental rates per year:

Commencing March 1, 2010 through September 30, 2013, the lease is amended to decrease the rental rate per month from $4,134.00 or $49,608.00 per year, which is equal to $19.08 per square foot to a monthly rental of $3,339.00 or $40,068.00 per year, which is equal to $15.41 per square foot on an annual basis. The common area maintenance costs will remain the same at $2.00 per square foot for the remaining years of the one four-year renewal option period.

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 Second Amendment to be executed by their respective and duly authorized officers the day and year first above written.

(CORPORATE SEAL)

WITNESS

WITNESS

DADE CORNERS PLAZA, INC.
a Florida Corporation

By: ____________________
Jorge D Almirall
President

(LANDLORD)

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

By: ____________________
Deputy Clerk

MIAMI-DADE COUNTY FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: ____________________
Carlos Alvarez
Mayor

(TENANT)

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