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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

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

Resolution No. R-805-10

Date: July 20, 2010

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

From: George M. Burgess
County Manager

Subject: Amendment to Lease Agreement with Interamerican Bank, FSB for Commissioner Rebeca Sosa's District Office Located at 1000 S.W. 57 Avenue, Suite 200, Miami
Property # 4012-00-00

RECOMMENDATION

It is recommended that the Board approve the attached resolution authorizing execution of an Amendment to Lease Agreement with Interamerican Bank, FSB for Commissioner Rebeca Sosa's district office located at 1000 S.W. 57 Avenue, Suite 200, Miami. The attached Amendment to Lease Agreement has been prepared by General Services Administration at the request of Commissioner Rebeca Sosa.

PROPERTY:	1000 S.W. 57 Avenue, Suite 200, Miami
COMMISSION DISTRICT:	6
OWNER:	Interamerican Bank, FSB
COMPANY PRINCIPALS:	Agustin Velasco Jr. – Chief Executive Officer
USE:	1,837 rentable square feet of air-conditioned office space.
PURPOSE OF AMENDMENT:	To modify the annual base rent from August 1, 2010 through February 28, 2012 to reflect a decrease in the rental rate from $38,577.00 annually, which is equal to $21.00 per square foot to $32,577.00 annually, which is equal to $17.73 per square.
FINANCIAL IMPACT:	The annual rental payment will be reduced by $1,000 for Fiscal Year 2009-2010, $6,000 for Fiscal Year 2010-2011, and $2,500 for Fiscal Year 2011-2012 creating a total savings of $9,500 for the nineteen month period.
EFFECTIVE DATES OF AMENDMENT:	This Amendment to Lease Agreement shall become effective August 1, 2010 and shall terminate on February 28, 2012.

CURRENT LEASE:	The current lease agreement was approved by the Board on June 21, 2005 by Resolution No. R-781-05. The lease is for a five-year period with one additional four-year renewal option period. The initial lease term commenced on March 1, 2006 and expires February 28, 2011.
FUNDING SOURCE:	This item has been budgeted in Commissioner Sosa's operating budget. Index code is CCSTLT010696, Sub-object Code is 25511.
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:	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: July 20, 2010

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
Veto _____
Override _____

Agenda Item No. 8(F)(1)(B)
7-20-10

RESOLUTION NO. R-805-10

RESOLUTION APPROVING AMENDMENT TO LEASE AGREEMENT AT 1000 S.W. 57 AVENUE, SUITE 200, MIAMI, WITH INTERAMERICAN BANK, FSB, FOR PREMISES TO BE UTILIZED AS A COMMISSION DISTRICT OFFICE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID 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 Interamerican Bank, FSB, for premises located at 1000 S.W. 57 Avenue, Suite 200, Miami, 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 Barbara J. Jordan, 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	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 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. MR

Monica Rizo

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(36)
06-21-05

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

RESOLUTION NO. R-781-05

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 1000 S.W. 57 AVENUE, MIAMI, WITH INTERAMERICAN BANK, FSB, 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 Interamerican Bank, FSB, 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.

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.

Hugo Benitez

Memorandum

MIAMI-DADE COUNTY

Date: June 21, 2005

Agenda Item No. 14(A)(36)

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

From: George M. Burgess
County Manager

Subject: Lease Agreement at 1000 S.W. 57 Avenue, Suite 200, Miami
for Commissioner Rebeca Sosa's District Office
Property # 4012-00-00

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

PROPERTY: 1000 S.W. 57 Avenue, Suite 200, Miami.

OWNER: Interamerican Bank, FSB

COMPANY PRINCIPALS: Agustin Velasco Jr. – Chief Executive Officer

USE: 1,837 rentable square feet of air-conditioned office space.

JUSTIFICATION: This space will be utilized as a district office for the Commissioner representing District 6. The space is located in a newly-constructed building, which is centrally located and easily accessible to the constituents of District 6.

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

RENTAL RATE: Annual base rent for the first year of the initial lease term is $36,740.00, which is equal to $20.00 per square foot. The annual base rent for the second year shall be $21.00 per square foot. The annual base rent for the third, fourth, and fifth lease years and for each year of the four-year renewal option period shall be increased by the Consumer Price Index. In no event shall the rent adjustment exceed five percent (5%) per year.

The total financial impact for the first year of the lease agreement is estimated to be $52,638.00, which is comprised of the following:

Annual base rent	$36,740.00
Lease Management	2,939.00
Electricity	2,556.00
Janitorial & Custodial	1,653.00
Phones/Data Installation	8,750.00
Total Estimate	$52,638.00

LEASE CONDITIONS:	The County will be responsible for the interior of the demised premises, including janitorial and custodial services, and will reimburse the Landlord for its pro-rata share of electricity costs. For the first lease year, this electricity reimbursement will be $213.00 per month, and may be adjusted once per year. The County will also reimburse Landlord for its pro-rata share of any increase in insurance costs and ad valorem taxes, to the extent that these taxes exceed the base year of 2004. The Landlord shall be responsible for water, waste disposal, trash disposal services, HVAC repairs, building exterior, roof, plumbing and electrical lines, fixtures, equipment, common areas, parking and landscape areas and the 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 five years thereafter.
CANCELLATION:	County may cancel any portion, after the initial twelve-month term by giving 90-days prior written notice and reimbursing Landlord for the unamortized portion of the County's build-out costs, as amortized over a sixty month term.
CURRENT LEASE:	The current lease was approved by the Board on August 9 2001 by Resolution No. R-1185-01. The district office is currently located at 6429 S.W. 8 Street. This space is too small and has inadequate parking. This lease can be cancelled with 60-days notice to the Landlord.
FUNDING SOURCE:	General Funds. This item has been budgeted in the operating budget of Commissioner Rebeca Sosa.
OTHER PROPERTIES EVALUATED:	6058 SW 8 Street – $23.68 per square foot base rent. 5228 W. Flagler Street – $20.00 per square foot base rent, plus $4.00 per square foot CAM, and build-out costs. 5700 N.W. 7 Street – $24.32 per square foot base rent, plus reimbursement of build-out costs.

Assistant County Manager

AMENDMENT TO LEASE AGREEMENT

THIS AGREEMENT made this day of , 2010, by and between INTERAMERICAN BANK, FSB, 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-781-05, adopted by the Board of County Commissioners on June 21, 2005, the Board authorized a Lease, attached hereto as Exhibit "A", (the "Lease") between the above named parties for that certain property located at 1000 S.W. 57 Avenue, Suite 200, Miami, Florida; and

WHEREAS, the Lease is in the initial five-year term, which commenced March 1, 2006 and terminates February 28, 2011; 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 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. The annual base rent from August 1, 2010 through February 28, 2012 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 August 1, 2010 through February 28, 2012, the lease is amended to decrease the rental rate per month from $3,214.75 or $38,577.00 annually, which is equal to $21.00 per square foot to a monthly rental of $2,714.75 or $32,577.00 annually, which is equal to $17.73 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 be executed by their respective and duly authorized officers the day and year first above written.

WITNESS

WITNESS

INTERAMERICAN BANK, FSB

By: _____
Agustin Velasco, Jr.
Chief Executive Officer
(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: _____