

## MEMORANDUM

Agenda Item No. 11(A)(19)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** October 3, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution authorizing extension  
of term of lease between Miami-  
Dade County (landlord) and the  
Thelma Gibson Health Initiative  
Inc., a Florida not-for-profit  
organization (tenant) on a month-  
to-month basis for office space  
located within the Frankie  
Shannon Rolle Center at 3750  
South Dixie Highway, subject to  
cancellation upon 30 days'  
written notice

Resolution No. R-1089-19

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor  
Commissioner Xavier L. Suarez.



Abigail Price-Williams  
County Attorney

APW/lmp



**MEMORANDUM**  
(Revised)

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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
- \_\_\_\_\_ Statement of social equity required
- \_\_\_\_\_ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- \_\_\_\_\_ No committee review
- \_\_\_\_\_ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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. 11(A)(19)  
10-3-19

RESOLUTION NO. R-1089-19

RESOLUTION AUTHORIZING EXTENSION OF TERM OF LEASE BETWEEN MIAMI-DADE COUNTY (LANDLORD) AND THE THELMA GIBSON HEALTH INITIATIVE INC., A FLORIDA NOT-FOR-PROFIT ORGANIZATION (TENANT) ON A MONTH-TO-MONTH BASIS FOR OFFICE SPACE LOCATED WITHIN THE FRANKIE SHANNON ROLLE CENTER AT 3750 SOUTH DIXIE HIGHWAY, SUBJECT TO CANCELLATION UPON 30 DAYS' WRITTEN NOTICE

**WHEREAS**, on December 5, 2017, pursuant to Resolution No. R-1216-17, this Board approved a 90 year lease with Platform 3750, LLC (3750) for the redevelopment of the Frankie Shannon Rolle Center site located at 3750 South Dixie Highway, Miami, including the development of an eight-story mixed use structure (3750 Lease); and

**WHEREAS**, pursuant to the 3750 Lease, 3750's right to occupy the property begins on the date upon which 3750 closes on its financing, defined as the Commencement Date; and

**WHEREAS**, although the outside date for the Commencement Date was originally December 31, 2018, pursuant to Resolution No. R-846-19, this Board extended the outside date of the Commencement Date to no later than May 31, 2020; and

**WHEREAS**, on December 18, 2018, pursuant to Resolution No. R-1299-18, this Board approved a one year lease at the rate of \$1.00 per year between the County and the Thelma Gibson Health Initiative, Inc. (TGHI), a not-for-profit Florida corporation, of approximately 1,171 square feet of office space within the existing Frankie Shannon Rolle Center, for occupancy in the period prior to the Commencement Date (TGHI Lease), which expires on December 31, 2019; and

**WHEREAS**, Sections 3 and 4 of the TGHI Lease include a holdover provision, which converts the Lease to a month-to-month tenancy if TGHI remains in possession of the property

after the Lease term expires, subject to all conditions of the Lease and terminable by either party on 30 days prior written notice; and

**WHEREAS**, because the outside date of the Commencement Date has been extended to May 31, 2020, TGHI has requested to stay in possession of the property for a period following the expiration of the lease term in order to continue providing quality social services to underserved groups in Miami-Dade County; and

**WHEREAS**, it is in the best interest of the public to extend the TGHI lease on a month-to-month basis for the interim period prior to the Commencement Date, provided that the County retains the ability to cancel the TGHI lease upon thirty days' written notice,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board incorporates and adopts the foregoing recitals as if fully set forth herein.

**Section 2.** This Board directs the County Mayor or County Mayor's designee to provide written notice to TGHI upon the expiration of the Lease term that it has been placed in holdover status pursuant to Sections 3 and 4 of the Lease, subject to termination by either party on thirty (30) days' written notice. Assuming that no other default or termination provision is triggered during the extended month-to-month term of the Lease, the County Mayor or County Mayor's designee is directed to provide the 30 day written notice of termination the later of (i) thirty (30) days prior to the Commencement Date of the 3750 Lease, or (ii) a later date in the discretion of the County Mayor or County Mayor's designee that does not conflict with the provisions of the 3750 Lease including any amendments thereto; provided however that such extended term shall not exceed one additional year.

**Section 3.** This Board further directs the County Mayor or County Mayor’s designee to appoint staff to monitor compliance with the Board’s direction herein.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

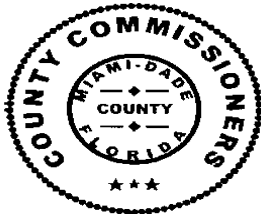
The Chairperson thereupon declared this resolution duly passed and adopted this 3<sup>rd</sup> day of October, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

**Linda L. Cave**

By: \_\_\_\_\_  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Debra Herman