

RESOLUTION No. 2008-206-893

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SEVENTH LEASE ADDENDUM TO THAT CERTAIN LEASE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND BRI 1814 GGOP, LLC, FOR THE LEASE OF ADDITIONAL OFFICE SPACE WITHIN THE GOLDEN GLADES OFFICE COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, there is a need for additional office space at City Hall, and

WHEREAS, on January 23, 2008, the City Council approved a resolution authorizing the City Manager to execute a Memorandum of Understanding with Neighborhood Housing Services (NHS) to assist City residents in addressing foreclosure issues, and

WHEREAS, NHS is a non-profit homeownership counseling and mortgage lending organization which provides a range of homeownership services, including homeownership training and counseling, licensed lending services, foreclosure intervention services and other homeownership resources, and

WHEREAS, City staff has concluded that a number of residents need on-site assistance to help with completing the required paperwork involved in preventing foreclosures, and

WHEREAS, City staff considered the benefits of establishing a location "at the City" to serve as a resource center that would be available to residents facing foreclosure, and

WHEREAS, the office space would be staffed with NHS staff, and

WHEREAS, the funding for this effort would come from Community Development Block Grant Funds as a Public Service,

WHEREAS, staffing of the resource center would be limited to an initial year, at which time an evaluation will be performed which would justify an extension of the commitment, and

WHEREAS, City staff proposes leasing an additional 156 square feet of office space, which was approved by the landlord, in close proximity to the Office of Community Development, at terms and conditions consistent with the existing lease agreement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Manager for the City of Miami Gardens is hereby authorized to negotiate and execute a Seventh Lease Addendum to that certain lease agreement between the City of Miami Gardens and BRI 1814 GGOP, LLC, for the lease of 156 square feet of additional office space within the Golden Glades Office Complex.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON OCTOBER 15, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Pritchett
SECOND BY: Councilman Gilbert

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

SKD/teh
8232412_1.DOC

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: October 22nd, 2008

Fiscal Impact: No Yes X

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes X No

Sponsor Name/Department:

Dr. Danny O. Crew, City Manager

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution X

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SEVENTH LEASE ADDENDUM TO THAT CERTAIN LEASE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND BRI 1814 GGOP, LLC, FOR THE LEASE OF ADDITIONAL OFFICE SPACE WITHIN THE GOLDEN GLADES OFFICE COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

On January 23, 2008, the City Council approved a resolution authorizing the manager to execute a memorandum of understanding with Neighborhood Housing Services (NHS) to assist City residents in addressing foreclosure issues. NHS is a non-profit homeownership counseling and mortgage lending organization. They are part of the NeighborWorks® network created by NeighborWorks® America (www.nw.org). NHS provides a range of homeownership services, including homeownership training and counseling, licensed lending services, foreclosure intervention services, and other homeownership resources.

Since establishing this partnership with NHS, the City has attempted to make these services available by referring residents to NHS. City staff has concluded that a number of residents need on-site assistance to help with completing the required paperwork involved in preventing foreclosures. As such we considered the benefits of establishing a location "at the City" to serve as a resource center that would be available to residents facing foreclosure. This office space would be staffed with NHS staff. The funding for this effort would come from Community Development Block Grant Funds as a Public Service.

The commitment to staffing of the resource center would be limited to an initial year. At that time an evaluation will be performed which would justify an extension of the commitment. The item will be brought back to Council for review and approval.

We approached our landlord about providing additional lease space for this activity. He has offered 156 square foot of space, in an area in close proximity to the Office of Community Development.

In July, 2008 the Council approved the Sixth Addendum to Lease Agreement, with our current landlord BRI 1814 GGOP, LLC ("BRI"). With that approval, the city currently has 35,362 square feet that we rent for offices here at City Hall. The lease agreement allows the landlord to offer addition space within the complex, at terms and conditions similar to the existing agreement.

We propose leasing an additional 156 square foot of office space at \$18.72 per square foot, at terms and conditions consistent with the existing lease agreement. Funding for the first year would come from Community Development Block Grant Funds.

Recommendation:

We recommend that the Council authorize the City Manager to negotiate and execute a 7th Lease Addendum, with BRI 1814 GGOP, LLC for the lease of additional office space within the Golden Glades Office complex.

SEVENTH AMENDMENT TO LEASE AGREEMENT

By and between

BRI 1814 GGOP ,LLC

As Landlord

and

CITY OF MIAMI GARDENS

As Tenant

THIS SEVENTH AMENDMENT TO OFFICE LEASE (the "Seventh Amendment") entered into as of October 23, 2008, by and between the City Of Miami Gardens, a municipal corporation (the "Tenant") whose address is 1515 N. W 167TH Street, Suite # 200, Miami , Florida 33169, and BRI 1814 GGOP, LLC, a Delaware Limited Liability Company authorized to do business in Florida (the "Landlord"), whose address is 1140 East .

WHEREAS, Golden Glades Assoc. LLP, a predecessor of Landlord, and Tenant entered into that certain Office Building Lease dated March 5, 2004, First Addendum to Office Lease dated August 25, 2004, Second Addendum to Office Lease dated December 14, 2005, Third Addendum To Office Lease dated August 24, 2006, and Fourth Addendum to Office Lease dated October 31, 2006, Fifth Addendum to Office Lease dated January 11, 2007, and Sixth Addendum to Lease Agreement dated July 15, 2008 (herein collectively referred to as the "Lease Agreement") for rental of 24,825 square feet ("Existing Delivered Premises") and an additional net 10,357 square feet in connection with the Sixth Amendment ("Additional Premises") in the Golden Glades Office Park ("Property"); and

WHEREAS, Golden Glades Assoc. LLP assigned to Landlord all of its rights, title, and interests to the Lease Agreement;

WHEREAS, Tenant desires to expand the Premises to add Suite 4-126 containing approximately 175 square feet ("New Additional Premises"), and Landlord is willing to accommodate such expansion.

WHEREAS, Tenant and Landlord desire to amend and clarify certain provisions of the Lease Agreement.

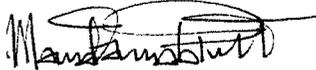
NOW THEREFORE, for good and valuable consideration the receipt and sufficiency of which are hereby conclusively acknowledged, the parties hereto agree that the Lease Agreement is amended as follows:

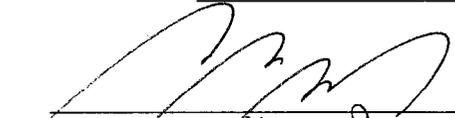
1. The Additional Premises are hereby expanded to include the New Additional Premises which are stipulated to have 175 SF as depicted in the attached floor

plan marked as Exhibit A and attached hereto and made a part hereof. Landlord shall modify space, at its sole expense and in good workmanship, with good quality materials and shall deliver the Expansion Space with new carpet and paint. Tenant shall take possession of the New Additional Premises on November 1, 2008.

2. The initial monthly base rent payable for the Expansion Space shall be \$18.72 per square foot ($\$18.72 \times 175 \text{ SF annually}/12 = \273 per month). Rent shall be subject to the same annual escalation and expense reimbursement and other provisions, as the Additional Premises, as set forth in the Sixth Amendment and the remaining Lease Agreement.
3. From time to time the City may permit use of the Additional Premises by the City's subgrantees and contractors and the Landlord does not object to the use of the premises in this matter.
4. Ratification; Controlling Provisions. The provisions of this Seventh Amendment shall prevail to the extent that there are any inconsistencies between this Amendment and the Lease Agreement. Except as expressly hereby modified, all other terms and provisions of the Lease Agreement are hereby ratified and confirmed. Tenant confirms that Landlord is in full compliance with all provisions of the Lease Agreement.

Witness to Landlord


Print Name Maria Phas

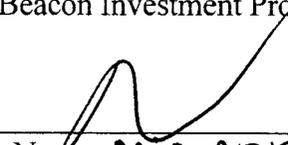

Print Name Mario Lopez
Witness to Tenant


Print Name Maria Botello


Print Name Victoria Alca

Landlord:

BRI 1814 GGOP LLC
By: Beacon Investment Properties, LLC

By: 
Print Name: AMER BENTATA
Title: Vangis Under Beacon Investment Properties, LLC, Manager

Tenant:
CITY OF MIAMI GARDENS

By: 
Print Name: DENNIS O. CREW
Title: CITY MANAGER

Attorney Ronetta Lopez, NMC
City of Miami
Approved as to form and legal sufficiency


Senja K. Dickens, City Attorney

