

SIXTH AMENDMENT TO LEASE AGREEMENT

This Sixth Amendment to Lease Agreement is entered into as of this 1st day of June, 2017, ~~2014~~, by and between **Millennium One, LLC**, a Florida limited liability company (hereinafter called "Lessor"), and **Riviera Beach Community Redevelopment Agency** a body corporate and politic created pursuant to Part III, Chapter 163, Florida Statutes (hereinafter called "Lessee").

WITNESSETH:

WHEREAS, a lease (the "Original Lease") was entered into by and between Lessor and Lessee dated May 16, 2001, for office space in the approximate amount of 6,307 square feet located at Suite 300 ("Suite 300") in the building located at 2001 Broadway, Riviera Beach, Florida (the "Building"); and

WHEREAS, the parties executed a First Amendment to Lease Agreement dated as of September 1, 2006 (the "First Amendment"), which, among other things, extended the term of the Original Lease from September 1, 2006 through August 31, 2009; and

WHEREAS, the parties executed a Second Amendment to the Lease Agreement dated as of August 31, 2009 (the "Second Amendment"), which among other things reduced the amount of leased square footage from 6,307 to 3,820 and extended the lease term from September 1, 2009 to November 30, 2009; and

WHEREAS, the parties executed a Third Amendment to the Lease Agreement dated as of November 10, 2009 (the "Third Amendment"), which among other things reduced the amount of leased square footage from 3,820 to 3,201 and extending the lease term from December 1, 2009 to November 30, 2011; and

WHEREAS, the parties executed a Fourth Amendment to the Lease Agreement dated as of October 26, 2011 (the "Fourth Amendment"), which among other things increased the amount of leased square footage from 3201 to 3820 and extending the lease term from December 1, 2011 to November 31, 2014; and

WHEREAS, the parties executed a Fifth Amendment to the Lease Agreement dated as of February 19, 2014 (the "Fifth Amednemnt") which among other things increased the amount of leased square footage from 3,820 to 6,307. The Original Lease as amended by the First Amendment, as further amended by the Second Amendment, as further amended by the Third Amendment as further amended by the Fourth Amendment, as further amended by the Fifth Amendment is hereinafter referred to collectively as the "Lease"; and

WHEREAS, the parties desire to enter into a Sixth Amendment to the Lease Agreement to extend the term of Lease through September 30, 2018 with two one year options at the same rate of \$17.80.

Sixth Amendment to Millennium/Riviera Beach CRA

NOW, THEREFORE, in consideration of the rents, mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Term of Lease The term of the Lease is hereby extended for a period of one (1) year through October 30, 2018 at the monthly rent of \$17.80, plus applicable sales tax.

2. Option to Extend Lease Term. Lessee shall have two one year options extend the lease term for the monthly rent of \$17.80, plus applicable sales tax. Tenant shall exercise its option by giving 90 days written notice to the Landlord

3. Terms of Original Lease. Except as otherwise provided herein, the terms and conditions of the Lease shall apply and remain in full force and effect.

4. Scope of Amendment. Except as otherwise provided for or as amended herein, all other terms and conditions of the Lease, and all subsequent amendments thereto prior to this Sixth Amendment, shall remain unchanged and in full force and effect throughout the remainder of the term, and any permitted extensions thereto, unless further amended by written agreement between the parties hereto.

5. Governing Law. This Amendment shall be governed by and under the laws of the State of Florida.

6. Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first written above.

[Signatures on following page]

LANDLORD:

Millennium One, LLC, a Florida limited liability company

By: 

Name: J. CARLOS SANTORO
Title: MANAGING MEMBER

TENANT:

Riviera Beach Community Redevelopment Agency

By: 

Name: ~~Santoro~~
Title: Interim Executive Director



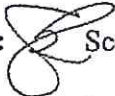
Florida's Dynamic
Waterfront Community

RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

2001 BROADWAY, SUITE 300
RIVIERA BEACH, FL 33404
PHONE: 561-844-3408
FAX: 561-881-8043
Website: www.rbkra.com

MEMORANDUM

TO: Honorable Chair and Members, CRA Board of Commissioners
City of Riviera Beach, Florida

FROM:  Scott Evans, Interim Executive Director, Riviera Beach CRA

DATE: May 17, 2017

Cc: J. Michael Haygood, CRA Attorney

SUBJECT: Agenda Item: A Resolution approving the Sixth Amendment to the Lease for office space between the Agency and Millennium One, LLC

Request for Board Action:

The Agency is requesting the Board of Commissioners to approve a Resolution approving a modification to the current lease at 2001 Broadway, to extend the term of the lease from October 1, 2017 to October 11, 2018 with two one year terms at the same rate as the past three years, at the Agency's sole discretion.

Summary:

The CRA has been located at our current address since May 16, 2001. The Landlord has agreed to extend the lease at the same rate as the past three years. The City Council recently approved Resolution 09-17 leasing additional space at 2051 MLK Jr. Boulevard. The City purchasing department reviewed market conditions and negotiated the best value rate. The new 5 year lease negotiated by the City for similar office space is at an average rate of \$18.00 per square feet. The proposed rate for the CRA's one year lease extension with an option for up to two additional years is \$17.80. This rate is appropriate for market conditions and includes all CAM charges.

Fiscal Impact:

The fiscal impact for FY 2018 is \$112,264.60. (\$9,355.38 per month)

Recommendation:

Staff hereby recommends the approval of the Resolution authorizing the execution of the Amended Lease Agreement for CRA office space from October 1, 2017 until October 1, 2018.

RESOLUTION NO. 2017-10

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE AGENCY) APPROVING THE SIXTH AMENDMENT TO THE LEASE FOR OFFICE SPACE BETWEEN THE AGENCY AND MILLENNIUM ONE LLC (LANDLORD); PROVIDING AN EFFECTIVE DATE.

WHEREAS, a lease (the "Original Lease") was entered into by and between Landlord and Agency dated May 16, 2001, for office space in the approximate amount of 6,307 square feet located at Suite 300 ("Suite 300") in the building located at 2001 Broadway, Riviera Beach, Florida (the "Building"); and

WHEREAS, the parties executed a First Amendment to Lease Agreement dated as of September 1, 2006 (the "First Amendment"), which, among other things, extended the term of the Original Lease from September 1, 2006 through August 31, 2009; and

WHEREAS, the parties executed a Second Amendment to the Lease Agreement dated as of August 31, 2009 (the "Second Amendment"), which among other things reduced the amount of leased square footage from 6,307 to 3,820 and extended the lease term from September 1, 2009 to November 30, 2009; and

WHEREAS, the parties executed a Third Amendment to the Lease Agreement dated as of November 10, 2009 (the "Third Amendment"), which among other things reduced the amount of leased square footage from 3,820 to 3,201 and extending the lease term from December 1, 2009 to November 30, 2011; and

WHEREAS, the parties executed a Fourth Amendment to the Lease Agreement dated as of October 26, 2011 (the "Forth Amendment"), which among other things increased the amount of leased square footage from 3201 to 3820 and extending the lease term from December 1, 2011 to November 31, 2014; and

WHEREAS, the parties executed a Fifth Amendment to the Lease Agreement dated as of February 19, 2014 (the "Fifth Amednemnt") which among other things increased the amount of leased square footage from 3,820 to 6,307. The Original Lease as amended by the First Amendment, as further amended by the Second Amendment, as further amended by the Third Amendment as further amended by the Fourth Amendment, as further amended by the Fifth Amendment is hereinafter referred to collectively as the "Lease"; and

WHEREAS, the parties desire to enter into a Sixth Amendment to the Lease Agreement to extend the term of Lease through September 30, 2018 with two one year options at the same rate of \$17.80.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1. The Agency hereby approves the attached Sixth Amendment to the Lease with Millennium One, LLC and authorizes the Chairman and Executive Director to execute the said Amendment.

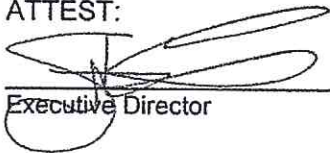
SECTION 2. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 24th day of May, 2017.

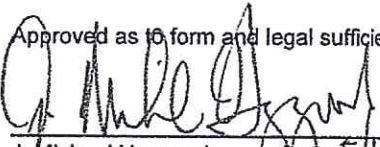
RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By KaShamba Miller-Anderson
Name: KaShamba Miller-Anderson
Title: Chairperson

ATTEST:



Executive Director

Approved as to form and legal sufficiency


J. Michael Haygood Date 5/18/2017
J. MICHAEL HAYGOOD, PA
General Counsel to CRA

MOTION BY:
SECONDED BY:

T. Davis
L. Hubbard

T. DAVIS
D. PARDO
L. HUBBARD
T. DAVIS JOHNSON
K. MILLER-ANDERSON

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[Signatures on following page]

LANDLORD:

Millennium One, LLC, a Florida limited liability company

By: 

Name: J. CARLOS SANTORO
Title: MANAGING MEMBER

TENANT:

Riviera Beach Community Redevelopment Agency

By: 

Name: Stephanie
Title: Interim Executive Director




Florida's Dynamic
Waterfront Community

RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

2001 BROADWAY, SUITE 300
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PHONE: 561-844-3408
FAX: 561-881-8043
Website: www.rbcra.com

MEMORANDUM

TO: Honorable Chair and Members, CRA Board of Commissioners
City of Riviera Beach, Florida

FROM:  Scott Evans, Interim Executive Director, Riviera Beach CRA

DATE: May 17, 2017

Cc: J. Michael Haygood, CRA Attorney

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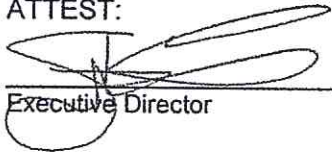
SECTION 2. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 24th day of May, 2017.

RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY

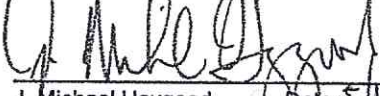
By KaShamba Miller-Anderson
Name: KaShamba Miller-Anderson
Title: Chairperson

ATTEST:



Executive Director

Approved as to form and legal sufficiency



J. Michael Haygood Date 5/18/2017
J. MICHAEL HAYGOOD, P.A.
General Counsel to CRA

MOTION BY: T. Davis
SECONDED BY: L. Hubbard

T. DAVIS AVE
D. PARDO AVE
L. HUBBARD AVE
T. DAVIS JOHNSON AVE
K. MILLER-ANDERSON AVE