



City of Coral Gables
CITY COMMISSION MEETING
October 27, 2020

ITEM TITLE:

A Resolution of the City Commission authorizing entering into a Fourth Amendment to Lease with Coral Grand, LLC with regard to the City-owned premises at 997 N. Greenway Drive, Coral Gables, FL, 33134 granting rent deferment for 100% of rent due August 1 and September 1, 2020 and 50% of rent due October 1, November 1, and December 1, 2020 (\$95,650.31) waiving any late charges, fees, and penalties provided for in the Lease during the deferment period, and providing for an eight (8)-month deferred rent repayment plan January-August 2021.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

Pursuant to Ordinance No. 2009-29, the City and Coral Grand, LLC (“Tenant”) entered into a Lease (the “Lease”) dated August 6, 2009, as amended by a First Amendment dated March 30, 2010, a Second Amendment dated September 13, 2011, and a Third Amendment dated May 28, 2013 with regard to City property located at 997 North Greenway Drive, Coral Gables, FL (the “Premises”).

On March 9, 2020, the State of Florida Governor Ron DeSantis issued a State of Emergency related to the COVID-19 public health emergency directing the temporary closure or reduced operation of certain businesses. Also as a result of the COVID-19 public health emergency, Miami-Dade County Mayor Carlos Gimenez mandated that all event/banquet hall venues in Miami-Dade County cease or modify their business operations, including but not limited to, the adoption of certain social distancing guidelines and temporary limitations on their operations.

In August of 2020, Tenant notified the Landlord of its inability to pay rent and requested rent deferment assistance. The Tenant submitted to the Landlord State of Florida Department of Revenue Sales Tax Reports (the “Sales Tax Reports”) for January-July 2019 and January-July 2020. By reviewing the Sales Tax Reports, the Landlord was able to assess that the Tenant’s operations have been affected more significantly by the COVID-19 health emergency and designated Miami-Dade County business closures than other City tenants given that most of the Tenant’s revenues derive from operating as an events/conference venue.

Landlord is therefore requesting that the City Commission approve entering into a Fourth Amendment to the Lease with the Tenant that grants the Tenant rent deferment for 100%

of rent due for August 1 and September 1 and 50% of rent due October 1, November 1, and December 1, 2020 (\$95,650.31) (the “Deferred Rent”) and waives any late charges, fees, and penalties provided for in the Lease during the deferment period.

The Fourth Amendment to Lease will also provide the Tenant with an eight (8)-month Deferred Rent Repayment Plan (January-August 2021) during which the Tenant will pay the Landlord monthly rent pursuant to the Lease and will also make monthly installments toward the Deferred Rent as follows:

Payment Date	Rent Due	Sales Tax	Deferred Rent Installment Due	Total Rent Payment Due
January 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
February 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
March 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
April 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
May 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
June 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
July 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
August 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46

LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
6/4/09	Ordinance 2009-29	Approval of Lease
3/9/10	Ordinance 2010-03	Approval of First Amendment
9/13/11	Resolution 2011-233	Approval of Second Amendment
5/28/13	Resolution 2013-87	Approval of Third Amendment

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
N/A		

ATTACHMENT(S):

- 1. Proposed Resolution**
- 2. Fourth Amendment to Lease Agreement**