



City of Coral Gables
CITY COMMISSION MEETING
June 9, 2020

ITEM TITLE:

A Resolution of the City Commission authorizing entering into a First Amendment to Lease with Robert Maguire dba Granada Snack Shop (Burger Bob's), with regard to the City-owned premises at 2001 Granada Blvd., Coral Gables, Florida, 33134 granting a two-month rent deferment for rent due on April 1 and May 1, 2020 (\$6,697.24) waiving any late charges, fees, and penalties provided for in the Lease during the deferment period, and providing for a six-month deferred rent repayment plan July-December 2020.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

Robert Maguire dba Granada Snack Shop (Burger Bob's) (the "Tenant") has been leasing the premises at 2001 Granada Blvd., Coral Gables, FL 33134 from the City of Coral Gables (the "Landlord") by virtue of a Concession Agreement dated October 2, 2003, authorized by Resolution No. 2003-150 on August 26, 2003. This Agreement was extended on a month-to-month basis on July 15, 2008 pursuant to Resolution No. 2008-111; Resolution No. 2008-200 passed and adopted November 18, 2008; Resolution No. 2009-251 passed and adopted on September 8, 2009; Resolution No. 2010-158 passed and adopted on August 24, 2010; and Resolution No. 2014-162 passed and adopted on August 26, 2014. On October 9, 2018, pursuant to Resolution No. 2018-263, Landlord and Tenant entered into a new Lease (the "Lease") for a period of three years (June 1, 2014 – May 31, 2024).

On March 9, 2020, State of Florida Governor Ron DeSantis issued a State of Emergency related to the COVID-19 public health emergency. Governor DeSantis' order was followed by similar State of Emergency orders from Miami-Dade County Mayor Carlos Gimenez (the "County Mayor"), and Coral Gables Mayor Raul Valdes-Fauli. In addition to the state of emergency orders, since March 20, 2020, the County Mayor has issued additional emergency orders enacting closures/operational restrictions on non-essential businesses which included restaurants venues.

On April 1, 2020, the Tenant notified the Landlord of its inability to pay rent for the months of April and May of 2020 and requested rent deferment assistance. Given the uncertainty generated by the crisis, the Landlord was unable to assess the economic impacts of the COVID-19 public health emergency and the County's restrictive emergency orders on the Tenant's operations and revenue.

Landlord is therefore requesting City Commission approval to enter into a First Amendment to the Lease with the Tenant that would grant the Tenant a two-month rent deferral for rent due on April 1, 2020 and May 1, 2020, in the total amount of \$6,697.24 (the “Deferred Rent”) and waive any late charges, fees, and penalties provided for in the Lease during the deferral period.

The First Amendment to Lease will also provide the Tenant with a six-month Deferred Rent Repayment Plan (July-December 2020), during which the Tenant will pay the Landlord monthly rent pursuant to Section IV of the Lease, and will also make monthly installments toward the Deferred Rent as follows:

Payment Date	Rent Due	Deferred Rent Installment Due	Total Rent Payment Due
July 1, 2020	\$3,348.62	\$1,116.20	\$4,464.82
August 1, 2020	\$3,348.62	\$1,116.20	\$4,464.82
September 1, 2020	\$3,443.19	\$1,116.20	\$4,559.39
October 1, 2020	\$3,443.19	\$1,116.20	\$4,559.39
November 1, 2020	\$3,443.19	\$1,116.20	\$4,559.39
December 1, 2020	\$3,443.19	\$1,116.24	\$4,559.43

LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
8/26/14	Resolution No. 2014-162	Lease Renewal Approval
8/24/2010	Resolution No. 2010-158	Three year with one-year option
9/8/09	Resolution No. 2009-251	One Year Renewal
11/18/08	Resolution No. 2008-200	One Year Renewal
7/15/08	Resolution No. 2008-111	Changed Lease to Month to Month
8/26/03	Resolution No. 2003-150	Authorization to enter into 3 year lease with 2 renewal terms
10/9/18	Resolution No. 2018-263	Three-year Lease Agreement with a one-year renewal term

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
N/A		

ATTACHMENT(S):

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