



City of Coral Gables
CITY COMMISSION MEETING
August 24, 2021

ITEM TITLE:

Resolution. A Resolution of the City Commission authorizing entering into a Third 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 an extension of lease term from September 1, 2021 until December 31, 2021 and providing that the Lease may be further extended on a month-to-month basis thereafter, at the discretion of the City Manager.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

Robert Maguire dba Granada Snack Shop (Burger Bob's) (the "Tenant") leased 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 on November 18, 2008; Resolution No. 2009-251 on September 8, 2009; Resolution No. 2010-158 on August 24, 2010; and Resolution No. 2014-162 on August 26, 2014. On October 9, 2018, pursuant to Resolution No. 2018-263, Landlord and Tenant entered a Lease (the "Lease") for a period of three years (09/01/2018-08/31/2021).

On June 22, 2020, pursuant to Resolution 2020-163, Landlord and Tenant entered a First Amendment to Lease for Rent Deferment (the "Amendment"). On January 26, 2021, pursuant to Resolution No. 2021-14, Landlord and Tenant entered a Second Amendment to the Lease granting the Tenant rent deferment (\$20,280.26), which the Tenant was required to pay by the end of the Lease term (08/31/2021). The Second Amendment to Lease also granted the Tenant a reduction in rent (11/01/20-08/31/21), during which the Tenant paid the Landlord \$1,000 per month plus taxes and insurance charges until the end of the Lease term.

Since January 2021, the Tenant has made regular rent payments at the reduced \$1,000 per month (plus taxes and insurance charges) rate. The Tenant has also made, and the Landlord has accepted, payments toward the deferred rent balance. The Tenant currently owes the Landlord a deferred rent balance of \$11,280.86 (the "Deferred Rent").

Pursuant to Section 2-1091 of the City Code, the City published an advertisement soliciting proposals through August 23, 2021 for the lease of the Premises. Given the

importance to the community of the Granada Snack Shop which has operated the restaurant at the Premises for twenty-seven years, the City Commission, pursuant to Resolution No. 2021-198, directed the City Manager to negotiate an extension of the Lease during the solicitation process and any permitting process associated with any build-out of the Premises.

Landlord is therefore requesting that the City Commission approve entering into a Third Amendment to the Lease granting the Tenant extension of lease term from September 1, 2021 until December 31, 2021. The Lease may be further extended month-to-month thereafter, at the discretion of the City Manager.

The Third Amendment to Lease will allow the Tenant to continue making rent payments at the \$1,000 per month (plus taxes and insurance charges) reduced rent rate that was granted pursuant to the Second Amendment. During the extension of lease term, the Tenant will therefore pay the Landlord monthly rent pursuant to Section IV of the Lease as follows:

Payment Date	Rent Due	Maintenance & Insurance	Sales Tax	Total Rent Payment Due
September 1, 2021	\$1,000.00	\$59.87	\$68.89	\$1,128.76
October 1, 2021	\$1,000.00	\$59.87	\$68.89	\$1,128.76
November 1, 2021	\$1,000.00	\$59.87	\$68.89	\$1,128.76
December 1, 2021	\$1,000.00	\$59.87	\$68.89	\$1,128.76

The Third Amendment also grants the tenant a payment plan to continue to pay the outstanding Deferred Rent balance as follows:

Payment Date	Payment toward Deferred Rent	Balance Deferred Rent Owed as of 7/19/21
		\$11,280.86
September 1, 2021	\$1,000.00	\$10,280.86
October 1, 2021	\$1,000.00	\$9,280.86
November 1, 2021	\$1,000.00	\$8,280.86
December 1, 2021	\$1,000.00	\$7,280.86
December 31, 2021	\$7,280.86	\$0.00

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 (3)-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 three (3)-

		year lease with 2 renewal terms
10/9/18	Resolution No. 2018-263	Three-year Lease Agreement with a one-year renewal term
06/09/20	Resolution No. 2020-163	First Amendment to Lease
01/26/2021	Resolution No. 2021-14	Second Amendment to Lease
07/13/21	Resolution No. 2021-198	Lease Extension Negotiation

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
N/A		

ATTACHMENT(S):

- 1. Draft Resolution.**
- 2. Second Amendment to Lease Agreement.**