

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-123

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.

WHEREAS, 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; and

WHEREAS, 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); and

WHEREAS, on March 9, 2020, the State of Florida Governor Ron DeSantis issued a State of Emergency related to the COVID-19 public health emergency; and

WHEREAS, Governor DeSantis' order was followed by similar State of Emergency orders from Miami-Dade County Mayor Carlos Gimenez ("County Mayor"), and Coral Gables Mayor Raul Valdes-Fauli; and

WHEREAS, 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 and entertainment venues; and

WHEREAS, 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; and

WHEREAS, due to the uncertainty created by the crisis, the Landlord was unable to assess the economic impacts of the COVID-19 public health emergency and the County Mayor's emergency orders on the Tenant's operations and revenue; and

WHEREAS, Landlord and Tenant wish to enter into a First Amendment to the Lease granting the Tenant a two-month rent deferment for rent due on April 1, 2020 and May 1, 2020, in the total amount of \$6,697.24 (the "Deferred Rent") waiving any late charges, fees, and penalties provided for in the Lease during the deferment period; and

WHEREAS, the First Amendment to Lease will provide the Tenant with six-month Deferred Rent Repayment Plan (June - November 2020) during which the Tenant will pay the Landlord monthly rent pursuant to Section IV of the Lease (\$3,348.62) and will also make monthly installments (\$1,116.20) toward the Deferred Rent for a total monthly payment amount (\$6,661.65);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

SECTION 2. That the City Commission does hereby authorize the City Manager to execute the First Amendment to Lease, approved in substantially the form attached as Exhibit A, with such modifications to the form attached hereto as may be approved by the City Manager and City Attorney that are necessary to implement the intent of this Resolution.

SECTION 3. That this Resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF JUNE, A.D., 2020.
(Moved: Lago / Seconded: Keon)
(Unanimous Voice Vote)
(Agenda Item: E-3)

APPROVED:

A handwritten signature in black ink, consisting of a large, stylized letter 'W' enclosed within a circular loop.

RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in black ink, featuring a highly stylized and cursive script.

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing as a series of connected, stylized loops and lines.

MIRIAM SOLER RAMOS
CITY ATTORNEY