



NORTH BAY VILLAGE
EST. 1945

North Bay Village Recommendation Memorandum

ITEM NO. 11.B

DATE: September 28, 2023

TO: Honorable Mayor, Vice Mayor and Members of the Village Commission

FROM: Alba L. Chang, Village Clerk

SPONSORED BY:

SUBJECT: A Resolution Approving a Second Lease Addendum for the North Bay Village Police Department Administrative Offices, Located at Causeway Towers, 1666 Kennedy Causeway, Suite 401 - *Village Manager Ralph Rosado, Ph.D., AICP (Deputy Chief of Police Samuel Bejar)*

RECOMMENDATION

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A SECOND ADDENDUM TO THE LEASE AGREEMENT BETWEEN NORTH BAY VILLAGE AND CAUSEWAY TOWERS, LLC FOR USE OF ADDITIONAL OFFICE SPACE FOR POLICE ADMINISTRATION LOCATED AT 1666 KENNEDY CAUSEWAY, SUITE 401; PROVIDING FOR AUTHORIZATION; AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff recommends the approval of the addendum to lease agreement between Causeway Towers and North Bay Village providing for a lease extension through August 2026 and the option to renew for three additional one-year terms.

BACKGROUND AND ANALYSIS

In 2021, the Village Commission approved a lease agreement with Causeway Towers, LLC, providing leased office space in Suite #402 for the North Bay Village Police Department. Village Staff seeks the Village Commission's consideration for approving an addendum to acquire additional leased office space for the Police Department, which has become crucial due to the demands of the CFA Accreditation process. This expansion is essential to meet specific CFA process requirements, particularly the separation of Professional Compliance and the BWC Administrator. Fortunately, Suite 401 has recently become available and is highly suitable for our needs, as it is adjacent to our current administrative offices in unit 402.

After negotiations with the building management, they have agreed to provide the Village with approximately 554 square feet of additional space at a rate of \$21 per square foot. Furthermore, they have consented to integrate this entire space into the existing unit 402 while maintaining the \$21 per square foot rate throughout the contract's duration. This arrangement eliminates the previously included 4% yearly increases from the previous addendum, and rate increases will not be realized until the First Renewal Period of this Addendum, (10/1/26 - 10/1/27), with a maximum increase of no more than 4% over the prior year's base rental.

The cost of renting this additional 554 square feet will be funded for the first two years by forfeiture funds, ensuring that it remains budget-neutral and does not impose any financial burden on our law enforcement agency's responsibilities.

Approval of this item will promote the Pillar of Efficiency of the NBV100 Plan.

Efficiency

North Bay Village seeks to minimize the wasting of materials, energy, effort, money, and time in doing something or in producing a desired result.

BUDGETARY/FINANCIAL IMPACT (Finance Dept.)

The cost for renting this additional 554 square feet will be funded by forfeiture funds

PERSONNEL IMPACT

NONE

ATTACHMENTS

[Resolution Approving Addenda for Lease adding ste. 401.DOCX](#)

[Exhibit A - Second Addenda for Lease - Adding Suite 401.DOC](#)

[Exhibit B Budget Amendment.pdf](#)

RESOLUTION NO. 2023-111

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A SECOND ADDENDUM TO THE LEASE AGREEMENT BETWEEN NORTH BAY VILLAGE AND CAUSEWAY TOWERS, LLC FOR USE OF ADDITIONAL OFFICE SPACE FOR POLICE ADMINISTRATION LOCATED AT 1666 KENNEDY CAUSEWAY, SUITE 401; PROVIDING FOR AUTHORIZATION; AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 28, 2021, North Bay Village (the "Village") Commission entered into a new, one-year lease for approximately 1,695 square feet of space for the Police Department Administration offices located in Suite 402, with a lease expiration date at the end of February 2022 pursuant to the authority granted by the Village Commission on January 12, 2021 in Resolution No. 2021-003 (the "Suite 402 Lease"); and

WHEREAS, on February 17, 2022, the Village Commission adopted Resolution 2022-006 approving a First Addendum to the Suite 402 Lease by extending the lease through June 30, 2024 with the option to renew for three additional one year terms, upon the terms and conditions set forth in a First Addendum to the Suite 402 Lease executed on February 17, 2022; and

WHEREAS, the parties now wish to further amend the Suite 402 Lease by adding Suite 401 (which is approximately 554 rsf) to the leased premises at a base rental rate of \$21.00/rsf and extending the term of the Suite 402 Lease, as previously amended, through September 30, 2026 with updated provisions for renewal terms, upon the terms and conditions set forth in the Second Addendum to Suite 402 Lease attached hereto as Exhibit "A"; and

WHEREAS, on September 28, 2023, the Village Commission adopted Resolution No. 2023-109 approving the budget for fiscal year 2023-2024 (the "Budget"); and

WHEREAS, pursuant to Section 166.241, Florida Statutes, the Village Commission may amend a budget at any time within a fiscal year; and

WHEREAS, in order to provide the necessary funding for the expanded leased

premises and pursuant to Section 35.21 of the Village Code of Ordinances and Florida Law, the Village Commission desires to amend the Budget consistent with the staff memorandum accompanying this resolution by authorizing the line item transfers as further provided in Exhibit "B" attached hereto and incorporated herein, and

WHEREAS, the Village Commission finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval. That the Village Commission hereby approves the Second Addendum to Lease in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization. That the Village Commission hereby authorizes the Village Manager to execute the Second Addendum to Lease with the Lessor in substantially the form attached hereto as Exhibit "A," subject to the final approval of the Village Attorney as to form, content, and legal sufficiency.

Section 4. Amending Budget. That the Village Commission hereby approves an amendment to the budget by authorizing the line item transfers as further provided in Exhibit "B" attached hereto and incorporated herein.

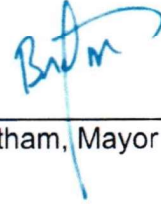
Section 5. Implementation. That the Village Manager, Village Clerk, and Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 6. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Chervony who moved its adoption. The motion was seconded by Commissioner Streitfeld and upon being put to a vote, the vote was as follows:


Mayor Brent Latham	<u>Yes</u>
Vice Mayor Richard Chervony	<u>Yes</u>
Commissioner Goran Cuk	<u>Yes</u>
Commissioner Andy Rotondaro	<u>Yes</u>
Commissioner Rachel Streitfeld	<u>Yes</u>

PASSED AND ADOPTED on this 28th day of September, 2023.



Brent Latham, Mayor

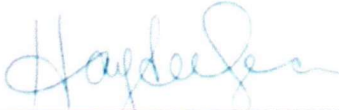
ATTEST:



Alba L. Chang, CMC
Village Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Weiss Serota Helfman Cole & Bierman, PL
Village Attorney

SECOND ADDENDUM TO LEASE

This Addendum dated as of the 4th day of October, 2023 is made by and between **North Bay Village, a Florida Municipal Corporation** ("Tenant") and **Causeway Tower, LLC** ("Landlord").

WITNESSETH

WHEREAS, Landlord and Tenant have entered into that certain Office Building Lease dated January 28, 2021 and First Addendum to Lease dated February 2022, pertaining to the Premises located at 1666 Kennedy Causeway, **Suite #402**, North Bay Village, FL 33141, (the "Building"), containing approximately 1,695 RSF, and

WHEREAS, the Tenant wishes to Expand into the adjacent **Suite #401**, for an additional **554 rsf. The total new square footage will be 2,249 rsf and the combined suites will be known as Suite #402.**

NOW THEREFORE, in consideration of the premises and other good and valuable consideration exchanged between Landlord and Tenant and the respective representations, agreements, and covenants herein contained, Landlord and Tenant agree that the Lease is hereby amended but only as follows:

1. All defined terms in this Addendum, unless otherwise defined herein, shall have the meanings ascribed to them in the Lease.
2. Effective October 1, 2023 the Lease Termination date shall be amended to be September 30, 2026.
3. The base rental rate shall remain at \$21.00 RSF (sales tax exemption on file).
4. RENEWAL OPTION. Provided that Tenant is not in default during the Lease Term, Tenant will have Three (3) options to renew for an additional one (1) year Renewal Option (the "Renewal Option"). The Base Rent for the First Renewal Option period (10/1/26 – 9/30/27) will be negotiated between Landlord and Tenant but will not exceed 4% over the prior year's Base Rental. The Base Rent for the Second Renewal Option period (10/1/27 – 9/30/28) will be negotiated between Landlord and Tenant but will not exceed 4% over the prior year's Base Rental. The Base Rent for the Third Renewal Option period (10/1/28 – 9/30/29) will be negotiated between Landlord and Tenant at the time that Tenant exercises said option. In the event Tenant fails to exercise the Renewal Options by providing the Landlord with written notice at least sixty (60) days prior to expiration of the Lease Term, the Renewal Option shall terminate, expire, and be null and void.
5. All terms, conditions and provisions of the Lease not expressly amended hereby shall remain in full force and effect, and the Lease as amended hereby is specifically approved, ratified, and confirmed.

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Addendum on the 4th day of October, 2023.

WITNESS:

1. 

Alba L. Chang

Print Name

2. _____

Print Name

TENANT: NORTH BAY VILLAGE,
A FLORIDA MUNICIPAL CORPORATION

BY: 

Ralph Rosado

Print Name

Title: Village Manager

WITNESS:

1. 

Frank Richman

Print Name

2. 

Carmen Velez

Print Name

LANDLORD: CAUSEWAY TOWER, LLC

BY: 

Robert Kramer

Print Name

Title: MANAGER



Budget Amendment Form

10/1/2023
~~9/28/2023~~ *bn*

Department	Police Department	Date	9/28/2023
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Fund(s) to be changed: Forfeiture Fund

GL Account	GL Line Item	Transfer to:	Transfer from:
<u>107.00.389.3890</u>	Appropriation of Fund Balance	\$ -	\$ 11,634.00
<u>107.21.521.4403</u>	Building Rental/Lease	\$ 11,634.00	
TOTAL (Columns must be equal)		\$ 11,634.00	\$ 11,634.00

Description:

Appropriate fund balance in the amount of \$11,634 in the Forfeiture Fund for expansion of leased office space for unit 402.