



Agenda Item Summary

File ID: 20-0667

CNST-9

Meeting Date: 5/19/2020

PLACEMENT: Consent

TITLE:

APPROVAL OF TEMPORARY RELIEF WAIVER OF REQUIRED MANDATORY RENT FEES ASSOCIATED WITH LEASES LOCATED ON COUNTY OWNED PROPERTY AFFECTED BY STATE MANDATED COVID-19 RESTRICTIONS ON BUSINESS OPERATIONS

EXECUTIVE SUMMARY:

This is a request that the Board approve a temporary relief waiver of any mandatory rent related fees associated with leases with Martin County on County owned property due to state mandated restrictions on business operations due to the COVID-19 pandemic.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Carla T. Segura, FRP
Title: Real Property Manager

REQUESTED BY: Sarah W. Woods, County Attorney

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

As a result of the COVID-19 pandemic and related state mandated restrictions on business operations, some organizations/non-profits, that were not considered essential pursuant to the Governor's Executive Orders, were required to shut their doors and lay off employees. They are struggling to deal with the myriad of issues arising from little to no income under their business operations.

Staff has been asked by the Children's Museum if the County could provide any relief to non-airport Lessees that may be affected by this crisis.

The County currently has 9 Leases (non-airport) that require rent or associated fees above the minimal annual requirement. Most of those organizations are currently functioning at a reduced capacity or pay a percentage of revenue and sales as their required rental payments and are not affected by this request. There are two leases (non-airport) to which the County collects Common Area Maintenance (CAM) fees in addition to rent, which is collected monthly by invoice through the

individual County Department.

Staff is recommending that the Board approve a temporary relief waiver, collectively comprising the entire time period, which would include State mandated restrictions of normal business operation.

ISSUES:

The temporary relief request is only for those non-airport Lessees affected by the state mandated restrictions during the time period non-essential businesses are closed in accordance with the Governor's Executive Orders in response to COVID-19. This waiver of fees would affect the budget of the Department collecting the fees and does not address insurance coverages or any other requirements to which the Lessee is still obligated to pay.

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine if it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board approve temporary relief to Lessees on County owned property who are required to close due to the Governor's Executive Orders in response to the COVID-19 pandemic, by waiving required rent associated fees during state mandated restrictions on business activities and authorize the Chairman to execute any and all documents necessary to complete this transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff with alternative recommendation.

FISCAL IMPACT:

RECOMMENDATION

None

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☐ Resolution
☐ Other:

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