

Meeting Date
10-21-14



AGENDA	
Section	Consent
Item No.	II.D.2

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval of Amendment No. 4 to Lease Agreement, Re: Brevard Cultural Alliance, Inc.
DEPT/OFFICE:	County Manager's Office

Requested Action:

It is requested the Board, by **super majority vote**, authorize the Chairman to execute Amendment No. 4 to Lease Agreement with Brevard Cultural Alliance, Inc. for property located at the Government Complex, 2725 Judge Fran Jamieson Way, Building C – Room 307, Viera, FL.

Summary Explanation & Background:

The Brevard Cultural Alliance, Inc. (BCA) is a nonprofit corporation with IRS 501(c)(3) status. The County has historically designated the BCA as the single "Local Arts Agency" to serve as a catalyst for community and cultural development in Brevard County.

The original term of the Lease Agreement was October 1, 2010 through September 30, 2011 and the Agreement included the option to renew for additional one year terms. The Lease Agreement was renewed for additional one year terms for FY 11-12, FY 12-13, and FY 13-14. Neil Levine, BCA Executive Director, has requested the Lease Agreement be extended. See attached letter.

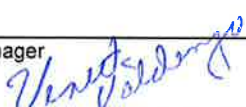
Florida Statute 125.38 requires the Board's approval of the Amendment by **super majority vote**. Authorization for the Chairperson to execute Amendment No. 4 to the Lease Agreement with term from October 1, 2014 to September 30, 2017 allows BCA the continued use of the county office space and continues BCA's use of County internal services.

The Amendment has been approved by the Assistant County Attorney and Risk Manager.

**FISCAL IMPACT:** FY 14-15; FY 15-16; FY 16-17 – BCA will pay \$1/year for the lease of the County Property during the 3 year term and they will be able to use the value of the office space as in-kind match for grants and other fundraising efforts. No fiscal impact to County budgeted funds.

Clerk to the Board instruction:  
 Execute and Return Two Originals of Amendment No. 4 to Lease Agreement

Exhibits Attached: Amendment No. 4 to Lease Agreement (Two Originals); Letter from BCA

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager Mel Scott	Department Director / Extension					
Stockton Whitten	Assistant County Manager Venetta Valdengo						



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972

October 22, 2014

MEMORANDUM

TO: Venetta Valdengo, Assistant County Manager

RE: Item II.D.2., Amendment No. 4 to Lease Agreement with Brevard Cultural Alliance, Inc. for Property at Government Complex, Building C, Viera

The Board of County Commissioners, in regular session on October 21, 2014, executed Amendment No. 4 to Lease Agreement with Brevard Cultural Alliance, Inc. for property located at the Government Complex, 2725 Judge Fran Jamieson Way, Building C, Room 307, Viera. Enclosed are original and two executed copies of the Amendment.

**Upon execution by Brevard Cultural Alliance, Inc., please return the original Amendment to this office for inclusion in the official minutes.**

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

Encls. (3)

cc: Contracts Administration  
Finance

**EXECUTIVE COMMITTEE**

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Johnson Law Center  
**Jill Reyes, Chair Elect**  
McGladrey LLP  
**Jim Haworth, Past Chair**  
**Dicksy Chrostowski, Secretary**  
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**Kathy Thomas-Beck, Financial  
Counsel**  
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Brevard School Board  
**Dina Reider-Hicks**  
Economic Development  
Commission / Waste Management  
**Venetta Valdeno**  
Brevard County  
**Tom Williamson**  
Space Coast Office of Tourism  
Ocean Partners

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**Jimi Gonzalez**  
Ion Electric  
**Michael LaFortune**  
**Delores Spearman**  
**Susie Wasdin**  
Wasdin Associates

The mission of Brevard Cultural Alliance is to  
build a vibrant and dynamic arts and cultural  
sector integral to Brevard County's quality of life.

**BREWARD  
CULTURAL  
ALLIANCE**

October 7, 2014

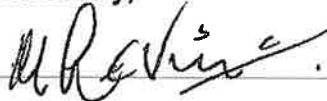
Mr. Stockton Whitten  
County Manager  
Brevard County  
2725 Judge Fran Jamieson Way  
Viera FL 32940

Dear Mr. Whitten,

Pursuant to the Lease Agreement between Brevard County and  
Brevard Cultural Alliance, please consider this letter BCA's  
formal request to extend the term of the our lease for an  
additional one year.

We appreciate your consideration of this request.

Sincerely,



Neil Levine  
Executive Director

**Brevard Cultural Alliance, Inc.**  
2725 Judge Fran Jamieson Way C-307  
Viera, FL 32940

P: 321-690-6817  
F: 321-690-6818

Email: [info@artsbrevard.org](mailto:info@artsbrevard.org)  
[www.ArtsBrevard.org](http://www.ArtsBrevard.org)

AMENDMENT NO. 4 TO LEASE AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_ day of October, 2014, by and between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "County" and the BREVARD CULTURAL ALLIANCE, INC., a Florida nonprofit corporation with IRS 501c3 status, hereafter referred to as "BCA".

WITNESSETH:

WHEREAS, on October 26, 2010, the parties hereto entered into a Lease Agreement for property located at 2725 Judge Fran Jamieson Way, Building C – Room 307, Viera, Florida for one dollar (\$1) per year. The Term of the Agreement was for a one year period from October 1, 2010 to September 30, 2011, amended on October 4, 2011 to extend the Agreement to September 30, 2012, amended on October 9, 2012 to extend the Agreement to September 30, 2013, and amended on October 8, 2013 to extend the Agreement to September 30, 2014.

WHEREAS, the Agreement provides the County the option to renew the Agreement for additional one (1) year, upon written request from BCA, and the parties hereto desire to extend the term of said Agreement for an additional period of time.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, the parties hereby agree as follows:


1. The term of the Agreement shall be extended from October 1, 2014 to September 30, 2017.
2. That all terms and conditions of said Agreement, which are incorporated herein by reference, not inconsistent with the provisions of this Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date first above written.

ATTEST:

By:   
Scott Ellis, Clerk

BREVARD COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

By:   
Mary Bolin Lewis, Chairman

Date: \_\_\_\_\_  
As authorized by the Board on 10/21/14

BREVARD CULTURAL ALLIANCE, INC.


Witness: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Montas, Board Chair

Witness: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed for legal form and content:

  
Assistant County Attorney

AMENDMENT NO. 4 TO LEASE AGREEMENT

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ATTEST:

By:   
Scott Ellis, Clerk

BREVARD COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

By:   
Mary Bolin Lewis, Chairman

Date: \_\_\_\_\_  
As authorized by the Board on 10/21/14

BREVARD CULTURAL ALLIANCE, INC.


Witness: 

By:   
Karen Montas, Board Chair

Witness: 

Date: 11/13/14

Reviewed for legal form and content:

  
Assistant County Attorney