



Consent Agenda 08/18/20

INDIAN RIVER COUNTY ATTORNEY

Dylan Reingold, County Attorney
William K. DeBraul, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

THROUGH: Jason E. Brown, County Administrator

FROM: William K. DeBraul, Deputy County Attorney

DATE: August 13, 2020

SUBJECT: Ratification of Lease Amendment with Mattress Firm, Inc.

When the County purchased the Sebastian Corners shopping complex, one of the tenants was Mattress Firm, Inc., with a lease running until April, 2022. As a result of the Governor's initial Emergency Order on the Corona Virus, all non-essential stores were ordered to be closed to the public. While there were a number of exceptions to the Order, mattress stores did not fall within any of the exceptions.

In compliance with the Order, Mattress Firm temporarily closed its Sebastian Corners store. The store was closed during the months of April and May of this year. As a result of the closing, Mattress Firm asked for an abatement of the rent during the two months they were forced to close. The monthly base rent is \$4,712.00 for a total abatement of \$9,424.00 In exchange for forgiving the two months of rent, Mattress firm offered to extend their existing lease for two months, extending their current lease until June 30, 2022. Mattress Firm is now open and current with all recent rental obligations.

FUNDING. There is no impact to County funds with this Amendment to Lease.

RECOMMENDATION. Staff recommends the Board ratify the County Administrator's approval of the abatement of two months of rent (\$9,424.00) for Mattress Firm pursuant to the authority of IRC Code §105.01.

Attachments: Amendment to Lease

Copy to: Richard Kim, Mattress Firm via email to: Richard.Kim@MFRM.com
Monique Filipiak, Land Acquisition Specialist: mfilipiak@ircgov.com