

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of March 5, 2009

TO: The Honorable Jeff Danner, Chair and Members of City Council

SUBJECT: Approving a twelve (12) month extension of the Parking Space Use Agreement with the Fish and Wildlife Research Institute, an agency of the State of Florida, for the use of thirty (30) parking spaces at the Port of St. Petersburg; and authorizing the Mayor, or his Designee, to execute all documents necessary to effectuate same; and providing an effective date. *(Requires affirmative vote of at least six (6) members of City Council.)*

EXPLANATION: Real Estate & Property Management received a written request from the Fish and Wildlife Research Institute ("FWRI") on January 22, 2009 asking the City to allow them to continue parking FWRI vehicles and vessels at the Port of St. Petersburg ("Port"), for another year. Through the adoption of Resolution No. 08-354, on July 24, 2008 City Council approved a twelve (12) month Parking Space Use Agreement ("Agreement") that provided FWRI's use of thirty (30) parking spaces at the Port to park FWRI vehicles and vessels with the ability to extend the Term expiring on March 31, 2009 for an additional year, subject to approval by City Council.

Under the existing Agreement, FWRI pays the City a monthly rent of \$799.54 per month, plus applicable taxes. Effective April 1, 2009, rent will be increased by 3.5% to \$827.52 per month, plus applicable taxes. FWRI is responsible for maintaining the Premises and paying utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. As an agency of the State of Florida, FWRI is self-insured under Florida Statute 768.28 and will provide insurance amounts as governed by the statute protecting the City against all claims or demands that may arise or be claimed on account of the Lessee's use of the Premises.

The Agreement may be terminated without cause by either party by providing the other party with thirty (30) days written notice of their intent to terminate prior to the scheduled date of termination. The City is under no obligation to provide a replacement facility under any circumstances.

This Agreement is in compliance with Section 1.02(c)(2) of the City Charter which permits a lease not exceeding the lease terms permitted by the City Park and Waterfront Map with an affirmative vote of at least six (6) members of City Council. This property is identified on the Parks & Waterfront Property Map as the Airport/Port Operations Area and has a ten (10) year lease limitation.

RECOMMENDATION: Administration recommends that City Council approve a twelve (12) month extension of the Parking Space Use Agreement with the Fish and Wildlife Research Institute, an agency of the State of Florida, for the use of thirty (30) parking spaces at the Port of St. Petersburg; and authorize the Mayor, or his Designee, to execute all documents necessary to effectuate same.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS:

Administrative:

 _____ *BG*

Budget:

_____ N/A _____

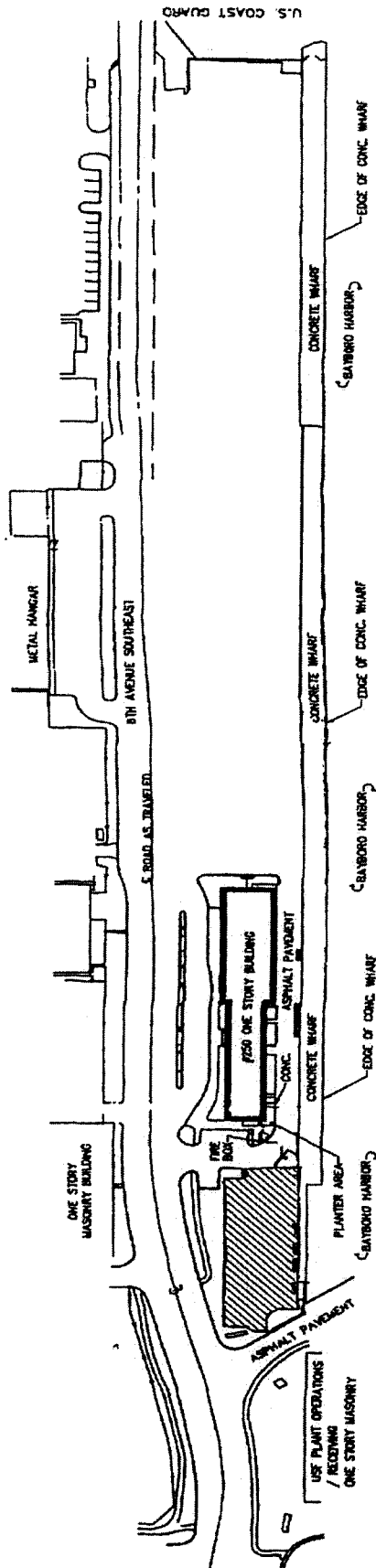
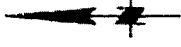
Legal:

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(As to consistency w/attached legal documents)

ILLUSTRATION

(Fish & Wildlife Research Institute Parking Area)



A RESOLUTION APPROVING A TWELVE (12) MONTH EXTENSION OF THE PARKING SPACE USE AGREEMENT WITH THE FISH AND WILDLIFE RESEARCH INSTITUTE, AN AGENCY OF THE STATE OF FLORIDA, FOR THE USE OF THIRTY (30) PARKING SPACES AT THE PORT OF ST. PETERSBURG; AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate & Property Management received a written request from the Fish and Wildlife Research Institute ("FWRI") on January 22, 2009 asking the City to allow them to continue parking FWRI vehicles and vessels at the Port of St. Petersburg ("Port"), for another year; and

WHEREAS, through the adoption of Resolution No. 08-354, on July 24, 2008 City Council approved a twelve (12) month Parking Space Use Agreement ("Agreement") that provided FWRI's use of thirty (30) parking spaces at the Port to park FWRI vehicles and vessels with the ability to extend the Term expiring on March 31, 2009 for an additional year, subject to approval by City Council; and

WHEREAS, under the existing Agreement, FWRI pays the City a monthly rent of \$799.54 per month, plus applicable taxes; and

WHEREAS, effective April 1, 2009, rent will be increased 3.5% to \$827.52 per month, plus applicable taxes; and

WHEREAS, FWRI is responsible for maintaining the Premises and paying utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance; and

WHEREAS, as an agency of the State of Florida, FWRI is self-insured under Florida Statute 768.28 and will provide insurance amounts as governed by the statute protecting the City against all claims or demands that may arise or be claimed on account of the Lessee's use of the Premises; and

WHEREAS, the Agreement may be terminated without cause by either party by providing the other party with thirty (30) days written notice of their intent to terminate prior to the scheduled date of termination; and

WHEREAS, the City is under no obligation to provide a replacement facility under any circumstances; and

WHEREAS, this Agreement is in compliance with Section 1.02(c)(2) of the City Charter which permits a lease not exceeding the lease terms permitted by the City Park and Waterfront Map with an affirmative vote of at least six (6) members of City Council; and

WHEREAS, this property is identified on the Parks & Waterfront Property Map as the Airport/Port Operations Area and has a ten (10) year lease limitation.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that a twelve (12) month extension is hereby approved of the Parking Space Use Agreement with the Fish and Wildlife Research Institute, an agency of the State of Florida, for the use of thirty (30) parking spaces at the Port of St. Petersburg; and the Mayor, or his Designee, is authorized to execute all documents necessary to effectuate same.

This Resolution shall become effective immediately upon its adoption.

LEGAL:

City Attorney (Designee)

APPROVED BY:

Chris Ballestra, Director
Downtown Enterprise Facilities

Bruce E. Grimes, Director
Real Estate and Property Management