

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of March 5, 2009

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

SUBJECT: Authorizing the Mayor, or his Designee, to execute a Lease Agreement with North East Little League, Inc. ("NELL") to allow use of a ±2,940 sq. ft. portion of land within NELL's headquarters located at 211 – 45th Avenue North, as a joint use neighborhood play lot for an initial period of fifteen (15) years, at no cost to the City; and to execute all documents necessary to effectuate same; and providing an effective date.

EXPLANATION: In November, 2008, Neighborhood Partnership was contacted by a representative of the North East Little League, Inc. ("NELL") about the possibility of the City erecting a playground on a 42 ft. x 70 ft. area previous used as a playground within NELL's headquarters that abuts residential housing located within the boundaries of 45th and 46th Avenues North and First Street Northeast and Third Street North within the North East Park Neighborhood. This community has a significant number of households with young children and does not currently have any public play or recreational facilities within walking distance or within several miles.

NELL has expressed its interest in initiating a joint use partnership with the City of St. Petersburg for the development of a playground on the 42 ft. x 70 ft. (±2,940 sq. ft.) area abutting 45th Avenue North ("Premises") within NELL's headquarters located at 211 – 45th Avenue North, St. Petersburg, which is legally described as follows:

Lots 3 thru 24 inclusive & the North 18 feet of vacated right-of-way adjacent on South of Lots 16 thru 24, Block B, TULANE SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 6, Page 16, Public Records of Pinellas County, Florida.

The Premises has been identified as an initiative location to develop the neighborhood play lot in conjunction with the Mayor's *Play 'N' Close To Home* initiative which locates play lots within a ½ mile walking distance of every child within the City limits.

At the request of Neighborhood Partnership, Real Estate & Property Management has negotiated a lease agreement with NELL for the City's use of the Premises located along the southerly boundary of property abutting 45th Avenue North owned by NELL as a joint use neighborhood play lot.

NELL has agreed to waive the rent for the term and any renewals thereafter. The proposed Lease Agreement ("Agreement") with NELL is for an initial term of fifteen (15) years. This Agreement may be renewed for two (2) additional terms of three (3) years each, upon approval by NELL and the Mayor, unless the City terminates this Agreement by providing ninety (90) days written notice to NELL of intent to terminate. NELL may terminate the Agreement ten (10) years after commencement by providing the City with not less than five (5) years written notice of its intent to terminate. The City Services Administration is responsible for installing, maintaining, and repairing the playground equipment and fences, in addition to, normal maintenance related to the play lot inside the fenced area for the playground.

In an effort to maintain consistency in the naming of the playgrounds that are developed under the Mayor's *Play 'N' Close To Home* initiative, specifically playgrounds that are placed on non City-owned property, it is the recommendation of City Services Administration to name the joint use neighborhood play lot as *Tulane Park Community Playground*.

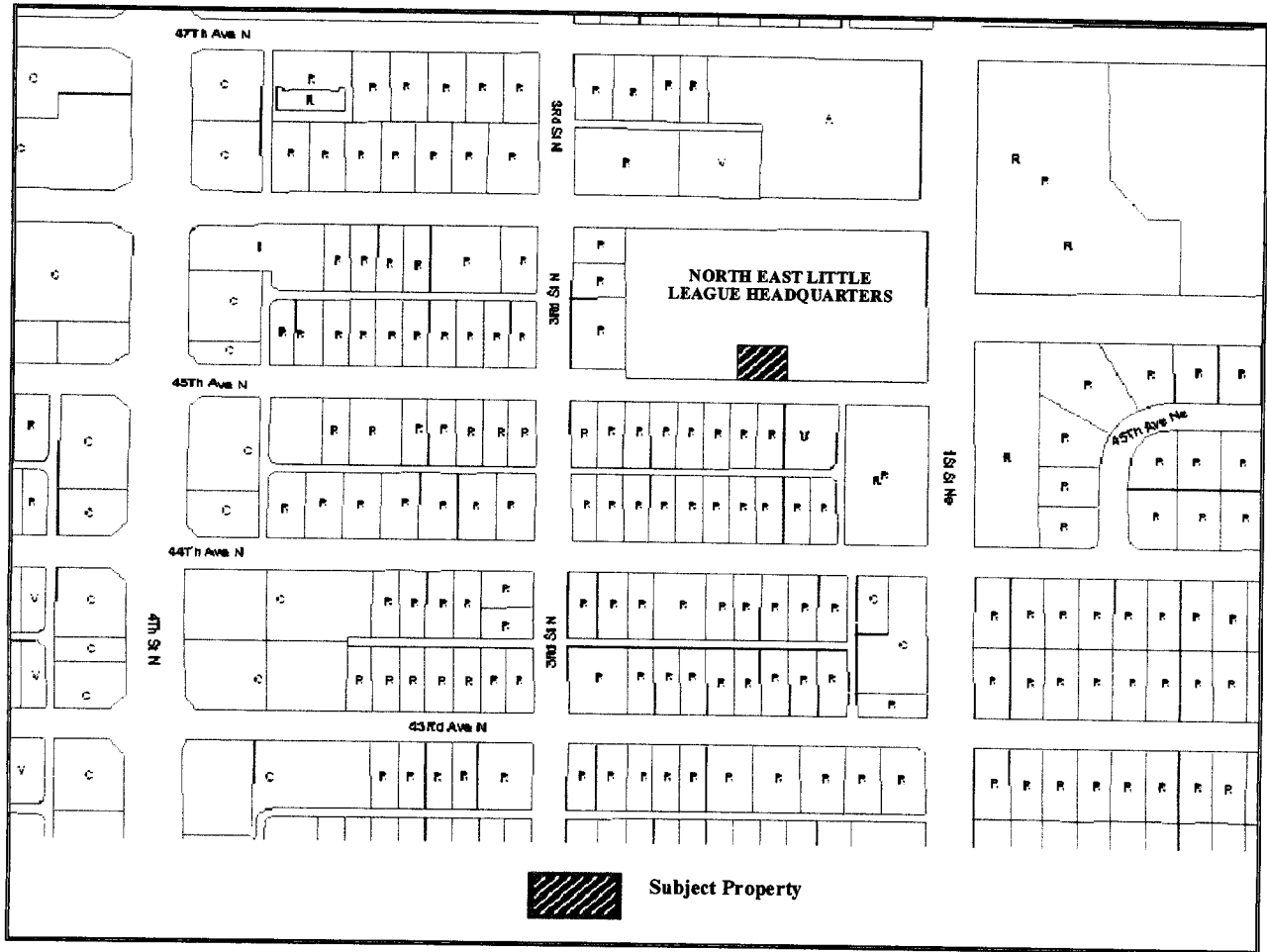
RECOMMENDATION: Administration recommends that City Council authorize the Mayor, or his Designee, to execute a Lease Agreement with North East Little League, Inc. ("NELL") to allow use of a ±2,940 sq. ft. portion of land within NELL's headquarters located at 211 - 45th Avenue North, as a joint use neighborhood play lot for an initial period of fifteen (15) years, at no cost to the City, and to execute all documents necessary to effectuate same.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS: Administrative: R. Mussett 2-6-09 56
Budget: N/A
Legal: RSS
(As to consistency w/attached legal documents)

ILLUSTRATION



Tulane Park Community Playground

Legal Description: A ±2,940 sq. ft. portion of Lots 3 thru 24 inclusive & the North 18 feet of vacated right-of-way adjacent on South of Lots 16 thru 24, Block B, TULANE SUBDIVISION

**Address: 211 – 45th Avenue North, St. Petersburg
Pinellas County Parcel I.D. No.: 06/31/17/92466/002/0030**

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH NORTH EAST LITTLE LEAGUE, INC. ("NELL") TO ALLOW USE OF A ±2,940 SQ. FT. PORTION OF LAND WITHIN NELL'S HEADQUARTERS LOCATED AT 211 - 45TH AVENUE NORTH, AS A JOINT USE NEIGHBORHOOD PLAY LOT FOR AN INITIAL PERIOD OF FIFTEEN (15) YEARS, AT NO COST TO THE CITY; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in November, 2008, Neighborhood Partnership was contacted by a representative of the North East Little League, Inc. ("NELL") about the possibility of the City erecting a playground on a 42 ft. x 70 ft. area previous used as a playground within NELL's headquarters that abuts residential housing located within the boundaries of 45th and 46th Avenues North and First Street Northeast and Third Street North within the North East Park Neighborhood; and

WHEREAS, this community has a significant number of households with young children and does not have any public play or recreational facilities within walking distance or within several miles; and

WHEREAS, NELL has expressed its interest in initiating a joint use partnership with the City of St. Petersburg for the development of a playground on the 42 ft. x 70 ft. (±2,940 sq. ft.) area abutting 45th Avenue North ("Premises") within NELL's headquarters located at 211 - 45th Avenue North, St. Petersburg, which is legally described as follows:

Lots 3 thru 24 inclusive & the North 18 feet of vacated right-of-way adjacent on South of Lots 16 thru 24, Block B, TULANE SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 6, Page 16, Public Records of Pinellas County, Florida; and

WHEREAS, the Premises has been identified as an initiative location to develop the neighborhood play lot in conjunction with the Mayor's *Play 'N' Close To Home* initiative which locates play lots within a ½ mile walking distance of every child within the City limits; and

WHEREAS, at the request of Neighborhood Partnership, Real Estate & Property Management has negotiated a lease agreement with NELL for the City's use of the Premises located along the southerly boundary of property abutting 45th Avenue North owned by NELL as a joint use neighborhood play lot; and

WHEREAS, NELL has agreed to waive the rent for the term and any renewals thereafter; and

WHEREAS, the proposed Lease Agreement ("Agreement") with NELL is for an initial term of fifteen (15) years with an option to renew for two (2) additional terms of three (3) years each, upon approval by NELL and the Mayor, unless the City terminates this Agreement by providing ninety (90) days written notice to NELL of intent to terminate; and

WHEREAS, NELL may terminate the Agreement ten (10) years after commencement by providing the City with not less than five (5) years written notice of its intent to terminate; and

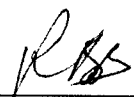
WHEREAS, City Services Administration is responsible for installing, maintaining, and repairing the playground equipment and fences, in addition to, normal maintenance related to the play lot inside the fenced area for the playground; and

WHEREAS, in an effort to maintain consistency in the naming of the playgrounds that are developed under the Mayor's *Play 'N' Close To Home* initiative, specifically playgrounds that are placed on non City-owned property, it is the recommendation of City Services Administration to name the joint use neighborhood play lot as *Tulane Park Community Playground*.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is hereby authorized to execute a Lease Agreement with North East Little League, Inc. ("NELL") to allow use of a ±2,940 sq. ft. portion of land within NELL's headquarters located at 211 - 45th Avenue North, as a joint use neighborhood play lot for an initial period of fifteen (15) years, at no cost to the City, and to execute all documents necessary to effectuate same.

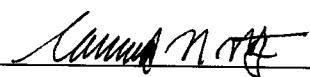
This Resolution shall become effective immediately upon its adoption.

LEGAL:



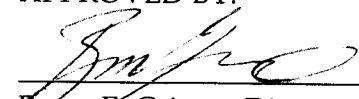
City Attorney (Designee)

APPROVED BY:



David M. Metz, Deputy Mayor
Neighborhood Services

APPROVED BY:



Bruce E. Grimes, Director
Real Estate & Property Management