

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of May 21, 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 Pasadena Card Club, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at Ten Park Street North, St. Petersburg, Florida for a period of thirty-six (36) months, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and 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 and Property Management received a request from Pasadena Card Club, Inc. ("PCC") to renew the lease agreement for the use of a 3,156 sq. ft. building located within the northern portion of City-owned Sunset Park at Ten Park Street North, St. Petersburg Florida that PCC has utilized since 1966 for recreational and social activities.

PCC has executed a Lease Agreement ("Lease") for a term of thirty-six months (36) months, subject to City Council approval, with the terms and conditions providing it with the same basic rights and privileges it has enjoyed in the preceding term. The rental rate is one dollar (\$1.00) per month or thirty-six dollars (\$36.00) for the entire term. The Lessee is responsible for all interior and exterior maintenance of the building and utilities including, but not limited to, water, electric, sewer, gas, trash collection and stormwater fees, in addition to any applicable taxes and insurance. Additionally, the Lessee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, 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 Lease may be terminated without cause by either party with one hundred eighty (180) days written notice prior to the scheduled date of termination.

City Council Resolution No. 79-740A, dated October 4, 1979, establishes policies for the sale and leasing of City-owned park and waterfront property. This resolution requires that when leasing City property to a non-profit, private organization ". . . the organization pays operating costs plus a reserve for replacement." Due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs. These terms and conditions are consistent with prior leases with this and other non-profit organizations. Under the terms of the lease, "the City is under no obligation to provide a replacement facility under any circumstances."

Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council. The subject property is zoned (NS-E) Neighborhood Suburban Estate.

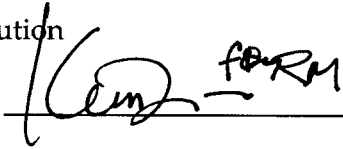
RECOMMENDATION: Administration recommends that City Council authorize the Mayor, or his Designee, to execute a Lease Agreement with Pasadena Card Club, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at Ten Park Street North, St. Petersburg, Florida for a period of thirty-six (36) months, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

ATTACHMENTS: Illustration and Resolution

APPROVALS:

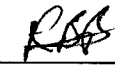
Administrative:

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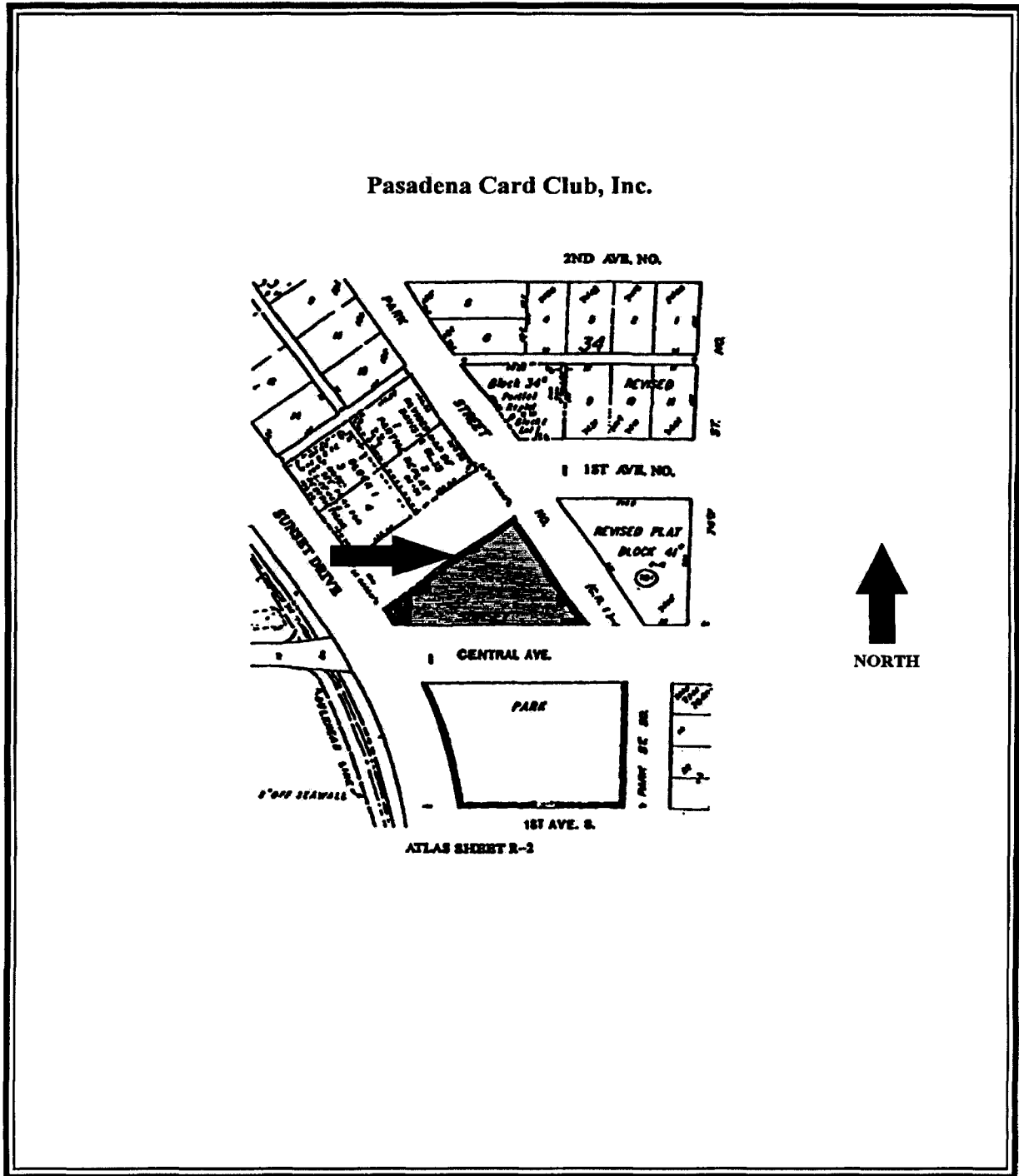
Budget:

_____ N/A _____

Legal:

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(As to consistency w/attached legal documents)

ILLUSTRATION



A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH PASADENA CARD CLUB, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE USE OF CITY-OWNED REAL PROPERTY LOCATED AT TEN PARK STREET NORTH, ST. PETERSBURG, FLORIDA FOR A PERIOD OF THIRTY-SIX (36) MONTHS, AT AN AGGREGATE RENT OF \$36.00; TO WAIVE THE RESERVE FOR REPLACEMENT REQUIREMENT; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pasadena Card Club, Inc. ("Lessee") desires to lease certain City-owned real property, which is classified as Parkland, for use as a facility for recreational and social activities; and

WHEREAS, the proposed Lease Agreement ("Lease") will be for a term of thirty-six (36) months, at an aggregate rent of \$36.00, to be paid at the commencement of the Lease; and

WHEREAS, the Lessee is responsible for all interior and exterior maintenance of the building and 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, the Lessee will maintain a commercial general liability insurance policy in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate, 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 Lease may be terminated without cause by either party by providing written notice no less than one hundred eighty (180) days prior to the scheduled date of termination; and

WHEREAS, the Lease is in accordance with the policies established in Resolution No. 79-740A with the exception that the reserve for replacement requirement is being waived to reduce the organization's operating costs; and

WHEREAS, due to the limited financial resources of the organization, the City is charging nominal rent and recommending that the reserve for replacement requirement be waived in an effort to minimize operating costs; and

WHEREAS, these terms and conditions are consistent with prior leases with this and other non-profit organizations; and

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

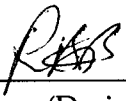
WHEREAS, Section 1.02 (c)(2) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property for three (3) years or less on residentially-zoned property with approval by an affirmative vote of at least six (6) members of City Council; and

WHEREAS, the subject property is zoned (NS-E) Neighborhood Suburban Estate.

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 Pasadena Card Club, Inc., a Florida not-for-profit corporation, for the use of City-owned real property located at Ten Park Street North, St. Petersburg, Florida for a period of thirty-six (36) months, at an aggregate rent of \$36.00; to waive the reserve for replacement requirement; and to execute all documents necessary to effectuate same.

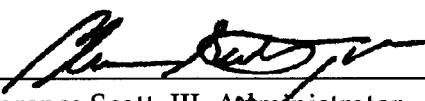
This Resolution shall become effective immediately upon its adoption.

LEGAL:



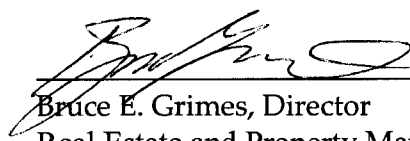
City Attorney (Designee)

APPROVED BY:



Clarence Scott, III, Administrator
City Services Administration

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management