

ST. PETERSBURG CITY COUNCIL

Consent Agenda

Meeting of June 4, 2009

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

SUBJECT: Authorizing the Mayor, or his Designee, to execute a twelve (12) month License Agreement with St. Petersburg Yacht Charters & Sales, Inc., a Florida for profit corporation, (D.B.A. the Marina Point Ships Store) for use of the premises located at 500 First Avenue Southeast on Demens Landing at a minimum monthly rent of \$2,876.00 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 St. Petersburg Yacht Charters & Sales, Inc., D.B.A. the Marina Point Ships Store ("Licensee") to renew its license agreement with the City for use of the premises located at 500 First Avenue Southeast on Demens Landing ("Ships Store") for an additional one (1) year term through June 30, 2010, on the same terms and conditions as the previous agreement which is currently scheduled to terminate June 30, 2009.

The Ships Store has been open at this location since 1963 for the purpose of providing goods and services to Marina tenants and the boating public and has been operated by the current Licensee since 1982. The former Ships Store building was demolished in August 1997 after the new 2,300 square foot facility had been completed. The site includes ±9,825 square feet of upland area and ±4,600 square feet of water area improved with a dock, tie poles and fuel dispensing units.

The Licensee has signed a new twelve (12) month License Agreement, subject to City Council approval, based on the same terms and conditions as the previous agreement. Monthly Base Rent for the 2,300 square foot retail and office area is \$11.09 per square foot or \$2,126.00 per month, plus applicable taxes. In addition to the Monthly Base Rent, the City also receives six percent (6%) of the annual gross revenues from fuel sales with a minimum monthly payment of \$750.00. Accordingly, total monthly rental payments will be no less than \$2,876.00 or \$34,512.00 annually, plus applicable taxes.

The Licensee is responsible for all utility services including, but not limited to, water, electric, sewer, refuse, stormwater runoff, telephone and cable services together with all maintenance and repair of the fuel dispensing units, filters, hoses and nozzles. Routine maintenance and minor repairs of the Ships Store and its improvements (dock, pilings, fencing, etc.) up to \$1,000.00 per event will also be paid by the Licensee. Commercial general liability insurance in an amount of \$1,000,000 per occurrence, and \$2,000,000 aggregate will be carried by the Licensee.

As the Ships Store is owned by the City and is located on waterfront park property, the City maintains the exterior of the premises, the surrounding landscaping and fuel system exclusive of those items identified above. Section 1.02 (c)(4) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property in the Demens Landing Park area for ten (10) years or less with approval by an affirmative vote of at least six (6) members of City Council.

RECOMMENDATION: Administration recommends that City Council authorize the Mayor, or his Designee, to execute a twelve (12) month License Agreement with St. Petersburg Yacht Charters & Sales, Inc., a Florida for profit corporation, (D.B.A. the Marina Point Ships Store) for use of the premises located at 500 First Avenue Southeast on Demens Landing at a minimum monthly rent of \$2,876.00 and to execute all documents necessary to effectuate same.

COST/FUNDING/ASSESSMENT INFORMATION: N/A

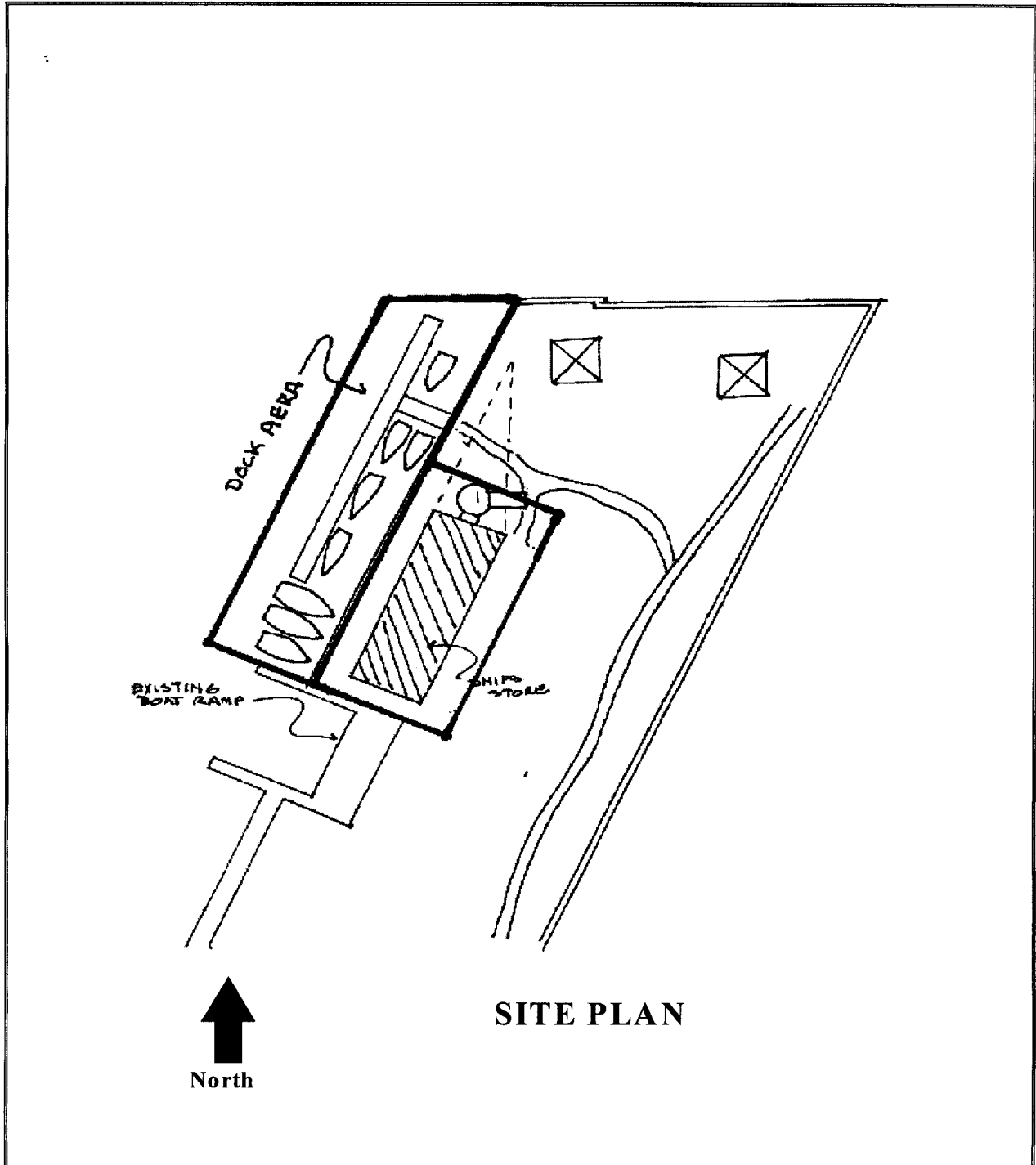
ATTACHMENTS: Illustration and Resolution

APPROVALS:

Administrative:	<i>Joseph Zeoli</i> <i>BB</i>
Budget:	N/A
Legal:	<i>R/S</i>

(As to consistency w/attached legal documents)

ILLUSTRATION



NO. _____

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A TWELVE (12) MONTH LICENSE AGREEMENT WITH ST. PETERSBURG YACHT CHARTERS & SALES, INC., A FLORIDA FOR PROFIT CORPORATION, (D.B.A. THE MARINA POINT SHIPS STORE) FOR USE OF THE PREMISES LOCATED AT 500 FIRST AVENUE SOUTHEAST ON DEMENS LANDING AT A MINIMUM MONTHLY RENT OF \$2,876.00 AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Real Estate and Property Management received a request from St. Petersburg Yacht Charters & Sales, Inc., D.B.A. the Marina Point Ships Store ("Licensee") to renew its license agreement with the City for use of the premises located at 500 First Avenue Southeast on Demens Landing ("Ships Store") for an additional one (1) year term through June 30, 2010, on the same terms and conditions as the previous agreement which is currently scheduled to terminate June 30, 2009; and

WHEREAS, the Ships Store has been open at this location since 1963 for the purpose of providing goods and services to Marina tenants and the boating public and has been operated by the current Licensee since 1982; and

WHEREAS, the site includes ±9,825 square feet of upland area and ±4,600 square feet of water area improved with a dock, tie poles and fuel dispensing units; and

WHEREAS, the Licensee has signed a new twelve (12) month License Agreement, subject to City Council approval, based on the same terms and conditions as the previous agreement; and

WHEREAS, Monthly Base Rent for the 2,300 square foot retail and office area is \$11.09 per square foot or \$2,126.00 per month, plus applicable taxes, in addition, the City receives six percent (6%) of the annual gross revenues from fuel sales with a minimum monthly payment of \$750.00; and

WHEREAS, accordingly, total monthly rental payments will be no less than \$2,876.00 or \$34,512.00 annually, plus applicable taxes; and

WHEREAS, the Licensee is responsible for all utility services including, but not limited to, water, electric, sewer, refuse, stormwater runoff, telephone and cable services together with all maintenance and repair of the fuel dispensing units, filters, hoses and nozzles; and

WHEREAS, routine maintenance and minor repairs of the Ships Store and its improvements (dock, pilings, fencing, etc.) up to \$1,000.00 per event will also be paid by the Licensee; and

WHEREAS, commercial general liability insurance in an amount of \$1,000,000 per occurrence, and \$2,000,000 aggregate will be carried by the Licensee; and

WHEREAS, as the Ships Store is owned by the City and is located on waterfront park property, the City maintains the exterior of the premises, the surrounding landscaping and fuel system exclusive of those items for which the Licensee will be maintaining; and

WHEREAS, Section 1.02 (c)(4) of the City Charter, Park and Waterfront Property, permits City Council approval of leases for Park and Waterfront property in the Demens Landing Park area for ten (10) years or less with approval by an affirmative vote of at least six (6) members of City Council.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Mayor, or his Designee, is authorized to execute a twelve (12) month License Agreement with St. Petersburg Yacht Charters & Sales, Inc., a Florida for profit corporation, (D.B.A. the Marina Point Ships Store) for use of the premises located at 500 First Avenue Southeast on Demens Landing at a minimum monthly rent of \$2,876.00 and to execute all documents necessary to effectuate same.

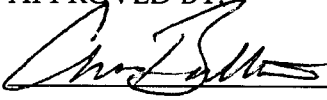
This Resolution shall become effective immediately upon its adoption.

LEGAL:




City Attorney (Designee)

APPROVED BY:



Chris Ballestra, Director
Downtown Enterprise Facilities

APPROVED BY:



Bruce E. Grimes, Director
Real Estate and Property Management