



Legislation Details (With Text)

File #:	130847.	Version:	15	Name:	
Type:	Discussion Item	Status:		Passed	
File created:	3/24/2014	In control:		City Manager	
On agenda:	7/20/2017	Final action:		7/20/2017	
Title:	Lot # 10 Status Report (B)				

This is a request for the City Commission to hear a status report on Lot #10.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 130847A_3-10-14 Appraisal Lot10_20140417.pdf, 2. 130847B_Resolution for Lot 10_20140417.pdf, 3. 130847C_Exhibit A to Resolution_20140417.pdf, 4. 130847D_Exhibit B to Resolution_20140417.pdf, 5. 130847C-MOD_Exhibit A - Legal Description for Lot 10_20140417.pdf, 6. 130847_Resolution_20140417.pdf, 7. 130847A_Horizon Hospitality Mgmt Proposal_20150305.pdf, 8. 130847B_Horizon Hospitality Mgmt Artist Rendering_20150305.pdf, 9. 130847C_Horizon Hospitality Mgmt_Sample Hotel Conceptual Planning Efforts_20150305.pdf, 10. 130847D_Horizon Hospitality Mgmt Gainesville Hotel Oral Ppt Presentation_20150305.pdf, 11. 130847E_Horizon Hospitality Mgmt Economic Impact Analysis_20150305.pdf, 12. 130847F_Horizon Hospitality Mgmt Prototype siteplan drawings_20150305.pdf, 13. 130847G_Bedford Lodging Proposal_20150305.pdf, 14. 130847H_Bedford Lodging Ppt Presentation_20150305.pdf, 15. 130847i_FINAL ADD #1_20150305.pdf, 16. 130847j_FINAL RFP_20150305.pdf, 17. 130847K_Oral Eval Evaluator #1 #2 and #3_20150305.pdf, 18. 130847L_Written Eval Evaluator #1 #2 and #3_20150305.pdf, 19. 130847M_Lot #10-BID TAB_20150305.pdf, 20. 130847N_Proposal Eval Summary_20150305.pdf, 21. 130847o_Memo to City Commission dated 02-12-15_Recordings of Lot 10 RFP Evaluation Proceedings_20150305.pdf, 22. 130847N_MOD_Proposal Eval Summary_20150305.pdf, 23. 130847A_Lot#10 Term Sheet_20150806.pdf, 24. 130847B_Letter_20150806.pdf, 25. 130847_MOD_Lot#10 Term Sheet_20150806.pdf, 26. 130847B-MOD_Email_20150806.pdf, 27. 130847A_Lot 10 Sale Contract_20150820.pdf, 28. 130847B_Lot 10 License Agreement for Parking (Horizon Hospitality)_20150820.pdf, 29. 130847C_Lot #10 Visuals_20150820.pdf, 30. 130847A_Interlocal Agreement_20150903.pdf, 31. 130847B_2nd Amendment to Interlocal_20150903.pdf, 32. 130847A_2nd Amendment to Interlocal_20150903.pdf, 33. 130847B_Interlocal Agreement_20150903.pdf, 34. 130847C_AC 8-10-15 Commission Mtg Minutes_20150903.pdf, 35. 130847D_AC 8-20-15 Special Mtg Agenda_20150903.pdf, 36. 130847_Order_20150903.pdf, 37. 130847_agreement_20150903.pdf, 38. 130847B_Parking Garage Financial Trends 383 space revised_20151119.pdf, 39. 130847A_Lot 10 License Agreement for Parking_20160121.pdf, 40. 130847B_Parking Garage Financial Trends 383 space revised_20160121.pdf, 41. 130847C_First Amendment to Contract - Lot 10_20160121.pdf, 42. 130847D_Lot10 License for Parking Agreement_Ppt_20160121.pdf, 43. 130847E_Executed Contract for Purchase HHM_20160121.pdf, 44. MOD_130847_Dec 31, 2015 Email RE New Contract Amendments_20160121.pdf, 45. 130847_AppraisalofLot#10_20161020.pdf, 46. 130847_Amended and Restated Contract for Sale and Purchase_20161020.pdf, 47. 130847_Amended and Restated Contract for Lot 10_20170202.pdf, 48. 130847A_Demand Letter to HHM_20170202.pdf, 49. 130847B_HHM Letter of Intent 1_20170202.pdf, 50. 130847C_HHM Letter of Intent 2_20170202.pdf, 51. 130847D_City Response to HHM_20170202.pdf, 52. 130847E_HHM Response to City_20170202.pdf, 53. 130847F_City Letter to HHM regarding Request for Hearing_20170202.pdf, 54. 130847_MOD_COG-Telephone Log Emails for Project Mobilization-11-30-2016.20170202pdf.pdf, 55. 130847G_Letter_20170202.pdf, 56. 130847A_Second Amendment to License Cancellation and Termination Agreement_20170216.pdf, 57. 130847_First Amendment to Amended and Restated Contract_20170216.pdf, 58. 130847A-MOD_Lot 10 1st Amendmt to Amended and Restated

Contract_20170302.pdf, 59. 130847B-MOD_Lot 10 2nd Amendmt to License Cancellation and Termination_20170302.pdf, 60. 130847C_Memo March 16, 2017_20170504.pdf, 61. 130847A_N. Patel Email to E. Bredfeldt, 03012017_20170504.pdf, 62. 130847B_McGurn Email to E. Bredfeldt, 03162017_20170504.pdf, 63. 130847A_07-10-17 Letter_HHM-Lot 10 Notice of Termination.pdf, 64. 130847B_First Amendment to Amended and Restated Contract for Sale and Purchase_20170720.pdf, 65. 150610_ASO Radio Management Board_20151110, 66. 130847_Email Response To Horizon_20151231

Date	Ver.	Action By	Action	Result
7/20/2017	15	City Commission	Approved, as shown above	Pass
5/4/2017	14	City Commission	Approved, as shown above	Pass
2/2/2017	11	City Commission	Approved as Recommended	Pass
10/20/2016	9	City Commission	Approved as Recommended	Pass
1/21/2016	7	City Commission	Approved as Amended	Pass
9/3/2015	6	City Commission	Approved as Recommended	Pass
8/20/2015	5	City Commission	Approved, as shown above	Pass
8/6/2015	4	City Commission	Approved as Amended	Pass
5/21/2015	3	City Commission	Heard	
3/5/2015	2	City Commission	Approved as Amended	Pass
4/17/2014	1	City Commission	Adopted (Resolution)	Pass

Lot # 10 Status Report (B)

This is a request for the City Commission to hear a status report on Lot #10.

On June 26, 2017, Horizon Hospitality Management, Inc. (HHM) was notified of a Failure of Performance under the terms of the First Amendment to the Amended and Restated Contract for Sale and Purchase regarding making an additional deposit of \$50,000 towards the purchase of Lot #10 within 30 days of the First Amendment Effective Date.

The Failure of Performance language is found in Section R of the First Amendment and that Section references associated terms.

The City Commission was copied on the Failure of Performance correspondence and it should be noted that HHM and local representatives were provided notice of the pending 30 day deadline and wiring instructions the week prior by electronic communication.

Since the passing of the June 26th deadline, no further communication has been received by staff from HHM or local representatives.

At the July 6th City Commission meeting the Commission voted to terminate the Lot #10 First Amendment and Amended and Restated Contract for Sale and Purchase with HHM and a notice of contract termination has been forwarded to their attention.

As a result of these circumstances, a scheduled November 30th closing on Lot #10 will likely not occur and as a result the License Cancellation Agreement and First Amendment with MCG Parking, LLC will expire as well.

Subsequent to June 26th, staff has received contact from several groups interested in potential future development of Lot #10.

Staff seeks direction from the City Commission on the following:

- Does the City Commission desire that Lot #10 be placed on the market through a competitive process?
- If so, under what specific terms if any, (the process will be subject to the City's established Real Estate Policies and Procedures) and is there any preference on the type of process to be utilized (i.e., Request for Proposal (RFP), Invitation to Negotiate (ITN))?

At this juncture, the original deposit of \$25,000 is subject to being retained as per the First Amendment and Amended and Restated Contract for Sale and Purchase.

The City Commission: 1) hear a brief presentation from staff; and 2) direct staff to initiate a competitive process for Lot #10 as per input of the City Commission and per the City's established Real Estate Policies and Procedures.