



Legislation Text

File #: 120681., **Version:** 5

First Amendment to Ground Lease Agreement for the Modular Unit at Cone Park with Alachua County Library District for Fred Cone Park (B)

This item requests approval and authorization by the Gainesville City Commission for the City Manager to execute a First Amendment to the Ground Lease Agreement with the Alachua County Library District for the Modular Unit at Fred Cone Park .

Funding from the City of Gainesville's portion of the Wild Spaces, Public Places Half Cent Surtax included an allocation for development of Cone Park. In the fall of 2009, the Alachua County Library District ("District") indicated their interest in pursuing possible options to establish a branch facility at the site, in conjunction with the park improvements. Based on these discussions, the infrastructure needed for this possible library branch was included in the conceptual site plan and cost proposal that the City Commission approved at their meeting on March 18, 2010.

On February 22, 2011, the City and the District entered into a Memorandum of Understanding which outlined non-binding concepts in order to further the mutual goal of locating a library branch at Fred Cone Park. In the summer of 2011, a temporary modular library unit was installed at the park. City and District staff finalized terms of both a Ground Lease for the permanent library branch building, as well as for the temporary modular unit. The term for the Ground Lease for the modular unit was two years, based on the date the modular unit was installed, and may be renewed and extended by mutual agreement of the Lessor and Lessee.

On January 17, 2013 the City Commission approved the Ground Lease for a temporary modular library at Cone Park, with a two-year term that began on August 22, 2011. Construction of the permanent library building is projected to continue after the two-year lease termination date, and both the City and the District desire to extend this Ground Lease through December 31, 2014, or 90 days after the issuance of a certificate of occupancy for the permanent library at Cone Park, whichever first occurs.

The proposed Amendment to the Ground Lease Agreement with the Alachua County Library District for a Modular Unit at Fred Cone Park does not modify any financial arrangements set forth in the original, executed Ground Lease Agreement; no fiscal impact will occur.

The City Commission: 1) authorize the City Manager to execute a First Amendment to the Ground Lease Agreement with the Alachua County Library District for a Modular Unit at Fred Cone Park, subject to approval by the City Attorney as to form and legality.