

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Members Ferraro, Diamond, Newby, Morgan,
3 Carlucci, White, R. Gaffney, Bowman, Freeman & Pittman:
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6 **ORDINANCE 2019-465**

7 AN ORDINANCE APPROVING ACCEPTANCE OF PORTIONS
8 OF ED AUSTIN REGIONAL PARK PEACEFULLY YIELDED
9 UP TO THE CITY BY THE POLICE ATHLETIC LEAGUE
10 OF JACKSONVILLE, INCORPORATED PURSUANT TO THE
11 LEASE AGREEMENT OF MAY 13, 1999; APPROVING,
12 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE,
13 AND CORPORATION SECRETARY TO EXECUTE AND
14 DELIVER THE LICENSE AGREEMENT BETWEEN THE CITY
15 OF JACKSONVILLE AND THE POLICE ATHLETIC LEAGUE
16 OF JACKSONVILLE, INCORPORATED FOR ED AUSTIN
17 REGIONAL PARK; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, as of May 13, 1999, the City of Jacksonville and the
20 Police Athletic League of Jacksonville, Incorporated ("PAL") made
21 and entered into a Lease Agreement for certain portions of Ed
22 Austin Regional Park (the "Demised Premises") for a term of 20
23 years; and

24 **WHEREAS**, the 20 year term of the Lease Agreement enabled PAL
25 to make improvements to the Demised Premises, construct facilities,
26 including a 39,377 square foot main building structure housing a
27 gym, classroom, administrative offices, sports instructional room,
28 multipurpose dining room, and kitchen constructed in 2002, and
29 conduct recreational, educational, and community services
30 activities at Ed Austin Regional Park; and

31 **WHEREAS**, in March, 2018, three of five HVAC units had to be

1 replaced and the two remaining HVAC units will need to be replaced
2 in the near future; and

3 **WHEREAS**, upkeep and maintenance have continued to increase at
4 the ageing Demised Premises; and

5 **WHEREAS**, the current term of the Lease Agreement expires May
6 12, 2019; and

7 **WHEREAS**, PAL does not wish to exercise the renewal option of
8 the 1999 Lease Agreement for an additional 20 years, but instead
9 wishes to yield up peacefully to the City the Demised Premises in
10 good and tenantable repair at the expiration of the current term
11 pursuant to the Lease Agreement; and

12 **WHEREAS**, PAL wishes to continue to serve the community and
13 wishes to enter into a license agreement under which it will
14 continue to offer programming and recreational activities at Ed
15 Austin Regional Park; now therefore

16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Acceptance of Demised Premises approved.** There
18 is hereby approved acceptance of the Demised Premises peacefully
19 yielded up to the City by PAL in good and tenantable repair upon
20 expiration of the current lease term on May 12, 2019, pursuant to
21 the Lease Agreement.

22 **Section 2. License Agreement approved and execution**
23 **authorized.** There is hereby approved, and the Mayor, or his
24 designee, and Corporation Secretary are hereby authorized to
25 execute and deliver, the License Agreement between the City of
26 Jacksonville and the Police Athletic League of Jacksonville,
27 Incorporated for Ed Austin Regional Park, a copy of which has been
28 placed **ON FILE** with the Office of Legislative Services.

29 **Section 3. Effective Date.** This ordinance shall become
30 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

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3 Form Approved:

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5 /s/ James R. McCain, Jr.

6 Office of General Counsel

7 Legislation Prepared By: James R. McCain, Jr.

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