

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, Hazouri and  
4 Salem and amended by the Neighborhoods, Community Services, Public  
5 Health & Safety Committee:  
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8 **ORDINANCE 2019-465-E**

9 AN ORDINANCE APPROVING ACCEPTANCE OF PORTIONS  
10 OF ED AUSTIN REGIONAL PARK PEACEFULLY YIELDED  
11 UP TO THE CITY BY THE POLICE ATHLETIC LEAGUE  
12 OF JACKSONVILLE, INCORPORATED PURSUANT TO THE  
13 LEASE AGREEMENT OF MAY 13, 1999; APPROVING,  
14 AND AUTHORIZING THE MAYOR, OR HIS DESIGNEE,  
15 AND CORPORATION SECRETARY TO EXECUTE AND  
16 DELIVER THE LICENSE AGREEMENT BETWEEN THE CITY  
17 OF JACKSONVILLE AND THE POLICE ATHLETIC LEAGUE  
18 OF JACKSONVILLE, INCORPORATED FOR ED AUSTIN  
19 REGIONAL PARK; PROVIDING AN EFFECTIVE DATE.  
20

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

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

1 activities at Ed Austin Regional Park; and

2 **WHEREAS**, in March, 2018, three of five HVAC units had to be  
3 replaced and the two remaining HVAC units will need to be replaced  
4 in the near future; and

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

7 **WHEREAS**, the current term of the Lease Agreement expired May  
8 12, 2019; and

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

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

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

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

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

31 **Section 3. Effective Date.** This ordinance shall become

1 effective upon signature by the Mayor or upon becoming effective  
2 without the Mayor's signature.

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4 Form Approved:

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6 /s/ *Margaret M. Sidman*

7 Office of General Counsel

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

9 GC-#1299894-v1-2019-465-E