



Legislation Details

**File #:** 2022-0138-E    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Enacted  
**File created:** 2/22/2022    **In control:** City Council  
**On agenda:** 3/8/2022    **Final action:** 3/8/2022

**Effective date:**

**Title:** ORD-MC Making Certain Findings & Apv & Auth the Mayor, or his Designee, & Corp Sec to Execute a Settlement Agreemt, Amended & Restated Mortgage, Amended & Restated Promissory Notes, a Lease Agreemnt for Lease by the DIA of the 3 Downtown Parking Garages (“Parking Garages”) Owned by Metropolitan Parking Solutions, LLC (“Developer”) for a Lease Term Through 9/202051, Sublease & Vendor Assignment Agreemts & Related Closing Docs & Other Agreemts as Set Forth in the Settlement Agreemnt, to Auth the Settlement of Certain Litigation btwn the City & Developer; Subj to Appropriation of Funds Therefore via Separate Legislation, the Settlement Agreemnt Auth the City to Provide Funding in the Not-to Exceed Amount of \$33,500,000 to Defease the Existing Bond Debt of Developer in an Amount Not to Exceed \$29,500,000 & to Pay for Certain Closing Costs & Other Costs & Expenses as Set Forth in the Settlement Agreemnt; Repealing in its Entirety Ord 2021-179-E, Which Auth Borrowing from the City’s Commercial Paper Facility &/or Issuance of Fixed-Rate Debt in the Cumulative, Not to Exceed Amount of \$32,905,000 to Provide Funding for the Purchase of the Developer’s Parking Garages; Amend the 2022-2026 CIP Apv’d by Ord 2021-505-E to Remove the Proj Entitled “MPS Garage Purchase”; Waiving Provisions of Chapt 126, (Procurement Code), Ord Code for a Period of 6 Months from the Closing Date Under the Settlement Agreemnt with Respect to the Maintenance, Repair & Operation of the Parking Garages, to allow the DIA to Directly Procure Contracts for a Term of No Longer than 1 Yr for the Purposes of Addressing Needed Repairs, Maintenance & Life-Safety Issues for the Parking Garages; Waiving Chapt 122 (Public Property), Pt 4 (Real Property), Subpart A (Acquisition of Interest in Real Property), Sec 122.411 (A) (Fee Purchases), Ord Code, to Auth the Purchase of the Parking Garages Without the Requirement to Obtain 2 Appraisals in Connection with the Purchase Option or Right of 1st Refusal Included in the Lease Agreemnt; Waiving Chapt 55 (Downtown Investment Authority), Pt 1 (Downtown Investment Authority), Sec 55.115 (Procedures for Acquisition & Disposition of Downtown Property), Ord Code, to Allow for the Exercise of the Purchase Option or Right of 1st Refusal Included in the Lease Agreement; Auth & Creating a New Pt 4 (DIA-Leased Parking Garages), Chapt 55 (Downtown Investment Authority), Ord Code, to Auth Management & Maintenance Obligations for the Parking Garages to the DIA & Auth the DIA to Enter into Retail & Commercial Subleases & Parking Subleases for Use of Retail & Commercial Spaces & Parking Spaces Within the Parking Garages at Rates as Established by the DIA Board; Auth the General Counsel, or his Designee, to take Further Action to Conclude the Litigation; Requesting 1-Cycle Emerg Action (Sawyer) (Introduced by CP Newby at Req of Mayor)  
2/22/22 CO Introduced: TEU, F, R  
2/28/22 TEU Emergency/Amend/Approve 7-0  
3/1/22 F Emergency/Amend/Approve 6-0  
3/1/22 R Emergency/Amend/Approve 7-0  
3/8/22 CO PH Emergency/Amend/Approved 18-0  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 – 3/8/22

**Sponsors:** Mayor

**Indexes:** FINANCE, RULES, TEU

**Code sections:**

**Attachments:** 1. 2022-138 Original Bill, 2. 2022-138 - Exhibit 1, 3. 2022-138 - Fact Sheet, 4. 2022-138 Bill Summary, 5. 2022-138 Amended Bill Summary, 6. 2022-138\_TEU\_Amd.pdf, 7. 2022-138-E

Date	Ver.	Action By	Action	Result
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3/8/2022	1	City Council	PH Emergency/Amend/Approved	Pass
3/1/2022	1	Finance Committee	Emergency/Amend/Approved	Pass
3/1/2022	1	Rules Committee	Emergency/Amend/Approved	Pass
2/28/2022	1	Transportation, Energy & Utilities Committee	Emergency/Amend/Approved	Pass
2/22/2022	1	City Council	Introduced to City Council and assigned	