



## Legislation Details (With Text)

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<b>Type:</b>	Legislative Action Item	<b>Status:</b>		Passed	
<b>File created:</b>	5/7/2021	<b>In control:</b>		City Council	
<b>On agenda:</b>	5/27/2021	<b>Final action:</b>		5/27/2021	
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	DISPOSITION OF REAL PROPERTY - SUBMERGED LAND IN BAYLEN SLIP ADJACENT TO FORMER SCUBA SHACK PROPERTY				
<b>Sponsors:</b>	Grover C. Robinson, IV				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Legal Ad - Notice for Scuba Shack Submerged - DRAFT, 2. Council Action - Scuba Shack Lease - 02-27-1997, 3. Scuba Shack Lease - 1997				

Date	Ver.	Action By	Action	Result
5/27/2021	1	City Council	Approved as Amended	Pass
5/24/2021	1	Agenda Conference	Placed on Regular Agenda	Pass

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

### **SUBJECT:**

DISPOSITION OF REAL PROPERTY - SUBMERGED LAND IN BAYLEN SLIP ADJACENT TO FORMER SCUBA SHACK PROPERTY

### **RECOMMENDATION:**

That City Council approve the publication of the notice of intention to dispose of submerged real property (portion of Parcel Ref. No. 000S009100001034) located in inland waterway Baylen Slip adjacent to 711 South Palafox Street (former Scuba Shack property), via lease, with acceptance of redevelopment submittals during the statutory-required notice period for City-owned parcels located in a designated community redevelopment area (CRA).

**HEARING REQUIRED:** No Hearing Required

### **SUMMARY:**

The 50-ft wide submerged parcel adjacent to the former Scuba Shack parcel has been leased to the Scuba Shack since May 1, 1997 per Council action approving the lease in February 1997. Per the terms of the 25-year lease, the owners of the Scuba Shack were able to transfer the lease upon sale to the new owners JME of NWF, LLC in April of this year. The initial lease expires in April 2022, and the "right of first refusal" clause in the lease requires this notice, as the City is not contractually

obligated to renew this lease with the current lessee.

Pursuant to F.S. 163.380(3)(a), the City is required to provide public notice by advertising for at least 30 days prior to the disposition of any City-owned property in the CRA, stating the intent of the disposition and inviting submittals. The draft public notice is attached to this memorandum.

The new owner of the Scuba Shack property would like to negotiate and secure a new lease as soon as possible, thus the impetus for publishing this notice now, rather than when the lease actually expires in 2022. After the expiration of the 30-day period required by the notice, City staff will prepare a memo for Council consideration at the next available meeting.

**PRIOR ACTION:**

February 27, 1997 - City Council authorized the negotiation of a lease with Scuba Shack, Inc.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

5/13/2021

**STAFF CONTACT:**

Keith Wilkins, City Administrator  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Amy Lovoy, Finance Director

**ATTACHMENTS:**

- 1) Legal Ad - Notice for Scuba Shack Submerged - DRAFT
- 2) Council Action - Scuba Shack Lease - 02-27-1997
- 3) Scuba Shack Lease - 1997

**PRESENTATION:** No