



Legislation Details (With Text)

File #: 23-0576
Type: Departmental
Status: Passed
In control: Board of County Commissioners
On agenda: 3/21/2023
Final action: 3/21/2023
Title: PUBLIC PURPOSE LEASE AGREEMENT BETWEEN MARTIN COUNTY AND HALPATIOKEE OUTDOOR CENTER, LLC., TO MANAGE AN OUTDOOR RECREATION CENTER AT HALPATIOKEE PARK

Sponsors:

Indexes:

Code sections:

Attachments: 1. HalpatiokeeOutdoorRecCenter_Lease_PartiallyExecuted_Updated.pdf, 2. Exhibit A.pdf, 3. Exhibit B.pdf, 4. Exhibit C.pdf, 5. Exhibit D.pdf, 6. RFP2022-3449_ScoreSheet_Signed.pdf, 7. RFP2022-3449_ListOfProposers.pdf, 8. RFP2022-3449_OutdoorRecreationCenter_LeaseAtHalpatiokeePark.pdf

Date	Ver.	Action By	Action	Result
3/21/2023	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental

TITLE:

PUBLIC PURPOSE LEASE AGREEMENT BETWEEN MARTIN COUNTY AND HALPATIOKEE OUTDOOR CENTER, LLC., TO MANAGE AN OUTDOOR RECREATION CENTER AT HALPATIOKEE PARK

EXECUTIVE SUMMARY:

This is a request for Board consideration of a 10-year Public Purpose Lease Agreement (Lease) between Martin County (County) and Halpatiokee Outdoor Center LLC., a Florida corporation (HOC) to provide and manage outdoor experiences through kayak, canoe, and mountain bike rentals at Halpatiokee Park at the existing vacant 1,500 square foot building, adjacent restroom and kayak/canoe launch. The Lease includes one renewal period of five years, exercisable at the discretion of the Board of County Commissioners. The proposed program meets the County's goal to increase ecotourism opportunities.

DEPARTMENT: Parks and Recreation

PREPARED BY: **Name:** Kevin Kirwin
Title: Parks and Recreation, Deputy Director

REQUESTED BY: Martin County Board of County Commissioners

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

- 1. Documents drafted by:** Parks and Recreation Department
- 2. Parties to the Lease:** Martin County and Halpatiokee Outdoor Center LLC.
- 3. Purpose of the Lease:** Provide for the management of outdoor experiences through kayak, canoe and mountain bike rentals at Halpatiokee Park
- 4. New/Renewal/Modified:** New
- 5. Term of Lease:** 10-year term with one additional 5-year renewal
- 6. Benefits to County:** Outsourced management reduces overall cost to the County while providing additional resident and visitor experiences. Provides a consistent revenue stream to reduce operating subsidy.
- 7. Cost to County:** Leasing this operation provides a revenue source and a cost savings to the County.

This agenda item concerns a proposed 10-year Public Purpose Lease Agreement between the County and Halpatiokee Outdoor Center LLC. for management of an outdoor experience operation (kayak, canoe, mountain bike and concessions) at Halpatiokee Park.

The leased premises consists of an existing 1,500 square foot building (requires build-out by HOC) with a detached restroom building along with the use of an existing kayak and canoe launch with space for visitor parking, equipment set-up, trip orientations/instruction and concessions.

The existing kayak/canoe launch at Halpatiokee Park will continue to be open to the public at no cost.

On September 15, 2022, the County advertised a request for proposals for the management and operation of the outdoor recreation center (the "RFP"), and the RFP deadline was October 19, 2022. The sole bidder presented its proposal to the selection committee on November 1, 2022. Following negotiations with the County's negotiation team, Halpatiokee Outdoor Center, LLC. was recommended to receive the award.

According to the proposed Lease, the County and Halpatiokee Outdoor Center, LLC. agree to a 10-year term with a monthly rent of \$4,000, with rent to increase by 3% annually. The Lease will provide total gross rent to the County in the amount of \$550,258. The Lease provides for one additional 5-year renewal that is exercisable by Halpatiokee Outdoor Center, LLC., at the discretion of the County.

The Lease sets forth the terms of Halpatiokee Outdoor Center, LLC.'s use, maintenance, and management of the outdoor recreation center operations and provides for the specific operating conditions and obligations of Halpatiokee Outdoor Center, LLC., including operating hours, financial record keeping and County's access to same, event programming, website maintenance, insurance requirements, employee background check compliance and equipment maintenance.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine if it is consistent with applicable law, and legal staff has identified and addressed legal risks and developed strategies for legal defensibility, as applicable.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board accept and approve the Public Purpose Lease Agreement with Halpatiokee Outdoor Center, LLC. and authorize the Chairman to execute all documents necessary to complete this transaction.

ALTERNATIVE RECOMMENDATIONS

Provide staff with alternate direction.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input checked="" type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | | |
| <input type="checkbox"/> Other: | | |

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