

MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: CITY ATTORNEY'S OFFICE

DATE: November 2, 2020

RE: **Acquisition and Development Agreement with the Lakeland Chamber of Commerce for the Sale and Development of City-Owned Property Located North of W. Lemon Street, South of W. Main Street, East of S. Ohio Avenue and West of Sikes Boulevard**

On February 7, 2020, the City published a Notice of Disposition requesting proposals for the purchase and development of City-owned property located north of W. Lemon Street, south of W. Main Street, east of S. Ohio Avenue and west of Sikes Boulevard. The Lakeland Chamber of Commerce, the only respondent to the Notice, submitted a proposal for the construction of a 15,000 square foot Business Resource Center on the property. The proposed Business Resource Center will provide business education, training and collaborative business development opportunities for Lakeland residents and businesses. The facility will be the home of 8-12 community partners, a banquet hall, an expansive Visitor's and Information Center lobby, smaller conference rooms and a technology center.

The essential terms and conditions of the conveyance to the Chamber under the attached Acquisition and Development Agreement are as follows:

- The City will sell the Property to the Chamber for a Purchase Price of \$270,000.00.
- The Chamber will provide a deposit in the amount of \$25,000 within three business days of Agreement execution (the "Effective Date"). The deposit will become non-refundable at the end of the Inspection Period and applied to the Purchase Price provided the transaction closes.
- The Chamber will have an Inspection Period of 365 days to determine, in their sole discretion, if the Property is suitable for their intended use. The Chamber may exercise two 90-day extensions to the Inspection Period, but must provide a \$10,000 non-refundable deposit in order to exercise the second 90-day extension, which deposit will be applied to the Purchase Price provided the transaction closes.
- The City's obligation to convey the Property to the Chamber is conditioned upon the Chamber obtaining all permits required for the construction of the Project and having adequate financing in place to complete the Project.

- The Chamber will commence construction within 30 calendar days of Closing.
- Closing shall occur within 12 months of the Effective Date, subject to the Chamber's right to extend the Closing Date for up to three 30-day periods at no cost to the Chamber.
- The Chamber will construct an approximately 15,000 square foot office building to support the advancement of small businesses and workforce development.
- The City will provide the following development incentives for the Project, subject to a cap of \$645,000:
 - The City will demolish all existing structures and below-grade elements on the Property.
 - The City will relocate the existing overhead electric service lines on the Property to an appropriate location to accommodate the Chamber's site development plan.
 - The City will provide utility upgrades for the Project, including water, wastewater, broadband fiber, streetscape and sidewalk improvements.
 - The City will pay, waive or satisfy fees and costs related to building permits and inspections, site plan reviews, City impact fees, and any necessary rezoning or platting of the Property.
- The City will have final review and approval authority over the building elevations and exterior materials and color schemes for the building.
- The Chamber will provide, upon request, space at no cost to the City and the CRA for education and awareness seminars for the general public, not to exceed one per month.
- The Chamber will provide free or reduced first-year membership rates for minority, women and veteran-owned businesses.

It is recommended that the City Commission approve the attached Acquisition and Development Agreement with the Lakeland Chamber of Commerce and authorize the appropriate City officials to execute all instruments necessary to finalize the transaction.

Attachment