


4.9.13 #24

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney 

SUBJECT: Authority for County Attorney to Initiate Litigation in the Case of
Pinellas County v. Florida Gulf Coast Center for Fishing Foundation, Inc.

DISTRIBUTION: Robert S. LaSala, County Administrator
Paul Sacco, Director, Real Estate Management

DATE: April 9, 2013

RECOMMENDATION: I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE THE COUNTY ATTORNEY TO INITIATE LITIGATION AGAINST FLORIDA GULF COAST CENTER FOR FISHING FOUNDATION, INC. TO REGAIN POSSESSION OF THE LEASED PREMISES AND RECOVER RENTS DUE, ASSOCIATED CHARGES AND COSTS FOR THE BREACH OF THE LEASE.

DISCUSSION: In January 2012, the Board entered into a lease agreement ("Lease") with Florida Gulf Coast Center for Fishing Foundation, Inc. ("Lessee"). Lessee has failed to pay its rent since October 2012 (except for the December, 2012 rent paid by Lessee) pursuant to the Lease. The County has provided Lessee two (2) separate notices of default as well as an offer to mediate this matter conditioned upon payment of past due rents owed; however, Lessee has refused to pay back-owed rents. As of April 9, 2013, Lessee owes rent in the sum of \$34,065.93. I recommend that the Board authorize the County Attorney's Office to initiate litigation to pursue all of its available legal remedies.

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