

**PORT TAMPA BAY
NOTICE OF PUBLIC HEARING**

Notice is hereby given of a public hearing to be held at 3:00 p.m., February 22, 2024 before the Tampa Port Authority, d/b/a Port Tampa Bay at its offices located at 1101 Channelside Drive, Tampa, Florida 33602, to hear public comments regarding the following:

AGUNSA USA, INC. – LEASE AGREEMENTS

Additional information is available online at www.tampaport.com. All written comments and objections directed toward the foregoing matter should be filed with Port Tampa Bay, Real Estate Department, at 1101 Channelside Drive, Tampa, Florida 33602 by 12:00 noon on February 21, 2024. Oral comments and objections may be presented at the hearing.

In accordance with the federal Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities requiring reasonable accommodation to participate in this hearing should call (813) 905-5031 or fax (813) 905-5029 not later than 48 hours prior to the hearing.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE PORT TAMPA BAY WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH A PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

To be published January 28, 2024
In the Tampa Bay Times

BACKGROUND INFORMATION FOR PUBLIC HEARING
February 22, 2024 AT 3:00 P.M.

AGUNSA USA, INC. - LEASE AGREEMENTS

(EASTPORT LOCATION)

Agunsa USA, Inc. (Agunsa) is a multinational shipping company founded over fifty (50) years ago that provides port services to ports in over 20 countries.

Port Tampa Bay and Agunsa have agreed to the following terms:

Premises: The Premises would consist of approximately 18.0 acres of land located on Eastport as outlined in the "Exhibit A".

Use: The Premises would be used as marine cargo terminal to service break-bulk, Ro/Ro and bulk vessels.

Term: The Initial Term of the Lease would be for twenty (20) years.

Extension

Options: Two (2) Ten (10) Year Extension Options.

Rent: Annual Rent for the Premises will be as follows:

	<u>Annually</u>	<u>Monthly</u>
Year 1	\$55,000/acre/year \$990,000 based on 18 ac.)	\$4,583.33/acre/month (\$82,500/based on 18 ac.)
Years 2-20	Annual Rent for the prior Lease Year x 1.03 (3% increase)	Annual Rent divided by 12
First Extension Option through Lease Year 30	Annual Rent for the prior Lease Year x 1.03 (3% increase)	Annual Rent divided by 12
Second Extension Option through Lease Year 40	Annual Rent for the prior Lease Year x 1.03 (3% increase)	Annual Rent divided by 12

Minimum Financial Guarantee

Each Lease Year, Tenant shall guarantee the minimum financial (“**Minimum Financial Guarantee**” or “**MFG**”) payment to Port Tampa Bay of Base Rent and “Port Fees” (consisting of dockage, wharfage and harbor master fees), as follows:

Years 1 through 3: \$1,790,000/yr.

Years 4 through 10 (or the completion of the Phase II Improvements, whichever occurs first): \$2,490,000/yr.

Upon completion of the Phase II Improvements, the annual MFG for Years 4 through 20 shall increase to: \$3,000,000/yr.

First Option Period \$3,000,000/yr.

Second Option Period \$3,000,000/yr.

Phase II – Right of First Opportunity:

Port Tampa Bay owns approximately Nine and 68/100 (9.68) acres of submerged lands adjacent to the Premises as outlined on **Exhibit “B”**. When Port Tampa Bay decides to elect to lease the entire Phase II Opportunity Parcel during the first five (5) years of the Term for construction and operation of a marine cargo terminal to service break-bulk, Ro/Ro and bulk vessels, Tenant would have the right of first opportunity.

Environmental Conditions:

Agunsa would take the Premises "AS-IS", "WHERE-IS" in all respects. All appropriate environmental restrictions would be applied to the Lease, including, without limitation, odor and emissions control as required in the vicinity of the Premises.

Improvements:

Agunsa will be responsible for all improvements to the Premises.

Other:

Agunsa will be responsible for all utilities, real estate taxes, site improvements, insurance, and maintenance of the Premises. Agunsa shall comply with all seaport security laws and regulations, environmental laws and regulations, and all other applicable regulations and laws.

EXHIBIT "A"

EASTPORT PREMISES



EXHIBIT "B"

PHASE II OPPORTUNITY PARCEL



(HOOKER'S POINT LOCATION)

Port Tampa Bay and Agunsa have agreed to the following terms:

Premises: The Premises would consist of approximately 15.0 acres of land located on Hooker's Point as outlined in the "Exhibit A".

Use: The Premises would be used as a trans load distribution facility with one or more warehouses, outdoor container storage, truck parking, and other related trans-load and distribution and logistic uses.

Term: The Initial Term of the Lease would be for twenty (20) years.

Extension

Options: One (1) Ten (10) Year Extension Option.

Rent: Annual Rent for the Premises will be as follows:

Pre-Development Period.

The "Pre-Development Period" of this Lease will commence on the "Effective Date" and will expire on the earlier of (a) the nine (9) month anniversary of the Effective Date, or (b) the commencement of construction on the Premises. During the Pre-Development Period, the Rent for the use of the Premises will be \$0.00 per acre, per year; provided, however, Tenant will remain responsible for all Applicable Taxes and other costs and expenses resulting from Tenant's use of the Premises, including, without limitation, any ad valorem taxes assessed on the Premises due to Tenant's lease or use of the Premises.

Development Period.

The "Development Period" of this Lease will commence upon the end of the Pre-Development Period and end on the earlier of (a) the twenty-fourth (24) month anniversary of the Effective Date, or (b) Tenant taking possession of the Premises (other than for pre-development work or construction purposes), or (c) the issuance of a final, unconditional certificate of occupancy for the Intermodal Yard, whichever occurs first. Tenant shall pay Port Tampa Bay Base Rent for the Development Period in the amount of Fifteen Thousand Dollars (\$15,000.00)/acre/year, together with any Applicable Taxes, monthly in advance, based on the actual acreage of the Premises and the schedule set forth below.

<u>Development Period</u>	<u>Annually</u>	<u>Monthly</u>
Development Period Months 10-24	\$15,000/acre/year (\$225,000 based on 15 ac.) (\$495,000 based on 33 ac.)	\$1,250/acre/month (\$18,750/based on 15 ac.) (\$41,250/based on 33 ac.)

Operational Period. Tenant shall pay Port Tampa Bay Base Rent for the Operational Period, together with any Applicable Taxes, monthly in advance, based on the actual acreage of the Premises and the schedule set forth below.

<u>Operational Period</u>	<u>Annually</u>	<u>Monthly</u>
Operational Years 1-3	\$30,000/acre/year (\$450,000 based on 15 ac.) (\$990,000 based on 33 ac.)	\$2,500/acre/month (\$37,500/based on 15 ac.) (\$82,500/based on 33 ac.)
Operational Years 4-6	\$35,000/ac./yr. \$525,000 based on 15 ac) (\$1,155,000 based on 33 ac.)	\$2,916.67/ac./mo. \$43,750 based on 33 ac.) (\$96,250/based on 33 ac.)
Operational Years 7- end of Initial Term	\$40,000/ac./yr. \$600,000 based on 15 ac) (\$1,320,000 based on 33 ac.)	\$3,333.33/ac./mo. \$49,995 based on 33 ac.) (\$110,000 based on 33 ac.)
First Extension Option through Lease Year 25	Annual Rent for Lease Year 20 Times the CPI Adjustment Factor	Annual Rent divided by 12
Second Extension Option through Lease Year 30	Annual Rent for Lease Year 25 Times the CPI Adjustment Factor	Annual Rent divided by 12

Phase II – Right of First Opportunity:

Port Tampa Bay owns approximately 18.25 acres of vacant lands adjacent to the Premises as shown on **Exhibit “B”**. When Port Tampa Bay decides to elect to lease the entire Phase II Opportunity Parcel during the first five (5) years of the Term for construction and operation of a marine cargo terminal to service break-bulk, Ro/Ro and bulk vessels, Tenant would have the right of first opportunity.

Environmental Conditions:

Agunsa would take the Premises "AS-IS", "WHERE-IS" in all respects. All appropriate environmental restrictions would be applied to the Lease, including, without limitation, odor and emissions control as required in the vicinity of the Premises.

Improvements:

Agunsa would be responsible for all improvements to the Premises.

Other:

Agunsa will be responsible for all utilities, real estate taxes, site improvements, insurance, and maintenance of the Premises. Agunsa shall comply with all seaport security laws and regulations, environmental laws and regulations, and all other applicable regulations and laws.

EXHIBIT "A"
HOOKER'S POINT PREMISES

EXHIBIT "A"
AERIAL OVERLAY OF PREMISES FOR
AGUNSA USA, INC.

NORTH



Scale: 1" = 450'



January 31, 2024

Prepared By:
Craig S. Kurial
Professional Land Surveyor #4642
Assistant Port Surveyor
Port Tampa Bay
Drawn by: Craig Kurial
Sheet 1 of 1
Job # 01020

PTB _____
AUI _____



PORT TAMPA BAY

1101 Channelside Drive
Tampa, Florida 33602
(813) 905-7678 Fax (813) 905-5029
WWW.PORTTB.COM

THIS IS NOT A SURVEY

EXHIBIT "B"
PHASE II OPPORTUNITY PARCEL

EXHIBIT "B"
AERIAL OVERLAY OF
PHASE 2 OPPORTUNITY PARCEL
FOR AGUNSA USA, INC.

NORTH



Scale: 1" = 450'



January 31, 2024

Prepared By:
 Craig S. Kurial
 Professional Land Surveyor #4642
 Assistant Port Surveyor
 Port Tampa Bay
 Drawn by: Craig Kurial
 Sheet 1 of 1
 Job # 01020

PTB _____
 AUI _____



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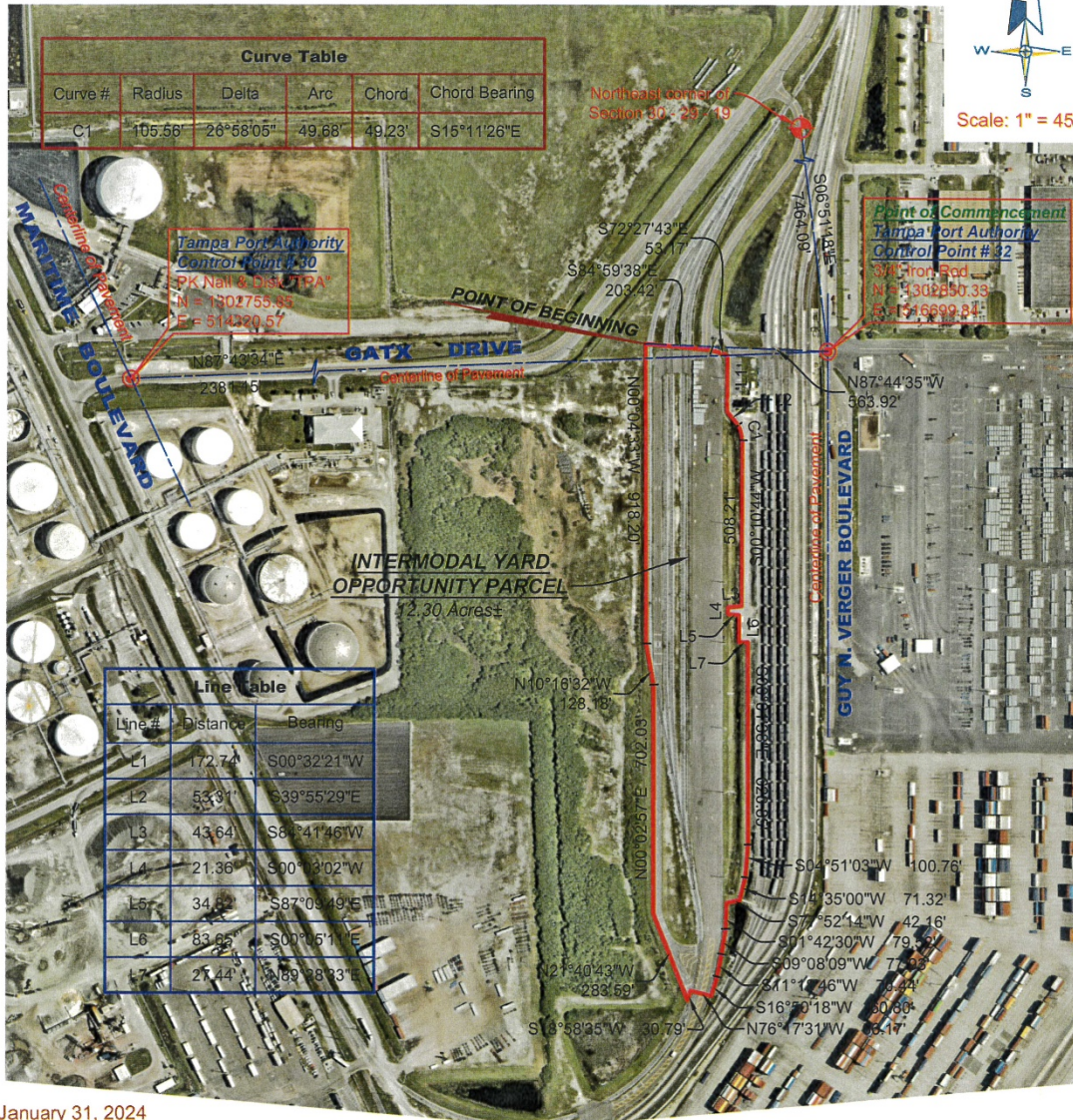
THIS IS NOT A SURVEY

EXHIBIT "C" **AERIAL OVERLAY OF** **INTERMODAL YARD OPPORTUNITY PARCEL** **FOR AGUNSA USA, INC.**

NORTH



Scale: 1" = 450'



Curve Table

Curve #	Radius	Delta	Arc	Chord	Chord Bearing
C-1	105.56'	26°58'05"	49.68'	49.23'	S15°11'26"E

Tampa Port Authority
Control Point # 30
PK Nail & Dist. TPA
N = 1302755.83
E = 514320.57

Point of Commencement
Tampa Port Authority
Control Point # 32
N = 1308850.33
E = 516699.84

Line Table

Line #	Distance	Bearing
L-1	172.74'	S00°32'21"W
L-2	53.31'	S39°55'29"E
L-3	43.64'	S8°41'46"W
L-4	21.36'	S00°13'02"W
L-5	34.85'	S87°09'49"E
L-6	83.85'	S00°05'11"E
L-7	27.44'	S89°38'33"E

January 31, 2024

Prepared By:
 Craig S. Kurial
 Professional Land Surveyor #4642
 Assistant Port Surveyor
 Port Tampa Bay
 Drawn by: Craig Kurial
 Sheet 3 of 3
 Job # 01020

Note:
 Bearings are based on the Florida State Plane Coordinate
 System, West Zone (0902) Transverse Mercator Projection,
 North American Datum of 1983, adjustment of 1990.
 TPA Control monuments used were 003, 004.

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