

RESOLUTION NO. 24-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF A SUB-LEASE PURSUANT TO SECTION 8.13 OF THE CITY CHARTER OF REAL PROPERTY LOCATED AT 501 SEABREEZE BLVD. FORT LAUDERDALE, FLORIDA, 33316, TO ISHOF PENINSULA LLC TO BE USED FOR PURPOSES CONSISTENT WITH THE PUBLIC GOOD FOR A TERM OF THIRTY (30) YEARS, AND SUBJECT TO FURTHER TERMS AND CONDITIONS; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 23-298, the City Commission of the City of Fort Lauderdale, Florida, declared its intent to Sub-lease (the "Lease") City-owned property located at 501 Seabreeze Blvd., Fort Lauderdale, Broward County, Florida 33316 ("Leased Premises"), to ISHOF Peninsula LLC, an affiliate and subsidiary of International Swimming Hall of Fame, Inc., a Florida not-for-profit corporation (hereinafter, "Lessee"), for an initial term of thirty (30) years; and

WHEREAS, Lessee will provide a public benefit by providing recreational, sporting, and educational facilities which will be used by the public at large; and

WHEREAS, pursuant to Resolution No. 23-298, the Notice of Public Hearing to consider the Lease was published in the official newspaper of the City of Fort Lauderdale; and

WHEREAS, a copy of the proposed Lease has been posted on the City's public bulletin board and distributed to the City Commissioners at least three (3) days prior to the January 23, 2024, public hearing; and

WHEREAS, the citizens and taxpayers have been given the opportunity to object to the execution, form, or conditions of the proposed Lease; and

WHEREAS, the City Commission finds the terms and conditions of the proposed Lease to be acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AS FOLLOWS:

SECTION 1. That the Recitals set forth are true and correct and incorporated in this Resolution.

SECTION 2. Subject to the conditions set forth herein, the City Commission of the City of Fort Lauderdale, Florida, pursuant to City Charter Section 8.13, hereby approves the Lease of the Leased Premises to ISHOF Peninsula LLC, an affiliate and subsidiary of International Swimming Hall of Fame, Inc., and declares that leasing the below-described property to Lessee for a term of thirty (30) years, is consistent with the public good. The real property is located at 501 Seabreeze Blvd, Fort Lauderdale, Broward County, Florida 33316. This Lease shall only take effect upon the approval by the City Manager of a written sub-sublease by and between ISHOF Peninsula LLC and an owner and/or operator of an aquarium, on terms and conditions, including without limitation, market rate rents and other commercially reasonable terms, acceptable to the City Manager in his sole discretion. The City Manager is hereby delegated authority to approve the Aquarium sub-sub-lease and this Lease, as revised, and the Lease shall be revised to incorporate this provision.

SECTION 3. That the City Commission hereby authorizes execution of the Lease by the proper City Officials, in substantially the form attached to Commission Agenda Memorandum No. 24-0003, subject to final review and approval by the City Attorney's office.

SECTION 4. That any and all Resolutions in conflict herewith are hereby repealed.

SECTION 5. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this 23rd day of January, 2024.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM AND
CORRECTNESS:



City Attorney
THOMAS J. ANSBRO

Dean J. Trantalis	<u>Yea</u>
John C. Herbst	<u>Yea</u>
Steven Glassman	<u>Yea</u>
Pamela Beasley-Pittman	<u>Yea</u>
Warren Sturman	<u>Nay</u>