

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, HAVING DECLARED PURSUANT TO RESOLUTION NO. 13-84 THAT CERTAIN LAND AND IMPROVEMENTS SITUATED THEREON, OWNED BY THE CITY OF FORT LAUDERDALE, ARE NOT NEEDED FOR GOVERNMENTAL PURPOSES, AND HAVING DECLARED THE INTENTION OF THE CITY COMMISSION TO LEASE SUCH LAND AND IMPROVEMENTS PURSUANT TO SECTION 8.09 OF THE CITY CHARTER, SETTING FORTH GENERAL TERMS AND CONDITIONS FOR THE LEASE; AND HAVING RELEASED REQUESTS FOR PROPOSALS AND HAVING EVALUATED ALL BIDS, THE CITY COMMISSION ACCEPTS THE BID OF STIRLINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND AUTHORIZES PREPARATION OF A LEASE IN ACCORDANCE WITH CITY CHARTER SECTION 8.09 FOR PRESENTATION TO THE CITY COMMISSION AT THEIR REGULAR MEETING SCHEDULED JANUARY 7, 2014 TO CONSIDER AUTHORIZATION AND EXECUTION OF SUCH LEASE; REPEALING ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDE FOR AN EFFECTIVE DATE.

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WHEREAS, on May 7, 2013 the City Commission of the City of Fort Lauderdale adopted Resolution No. 13-84, pursuant to City Charter Section 8.09 declaring that certain lands and improvements identified therein ("Property") were declared not needed for a governmental purpose and were to be advertised for lease under the provisions of Section 8.09 of the City Charter, subject to certain conditions, limitations and restrictions; and

WHEREAS, pursuant to the authority of Resolution No. 13-84, a Request for Proposal ("RFP 535-11072" or "RFP") was issued; and

WHEREAS, bids under the RFP were opened July 17, 2013 with three (3) proposals received; and

WHEREAS, the Evaluation Commission evaluated the three proposals and ranked Stirlings, LLC as the top ranked proposer; and

WHEREAS, Stirlings, LLC has proposed to expend \$3.6 million to renovate and rehabilitate the Property and provide the City with rent equal to 4% of its gross proceeds, but to

have a rent credit equal to 4% of the gross proceeds until such time as the renovation/rehabilitation expenditures on the property are recouped by Stirlings, LLC; and

WHEREAS, City staff recommends that the Stirlings, LLC proposal be accepted as the most advantageous lease for the City and that preparation of a form of the lease be prepared to be brought back to the City Commission for review and approval;

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and herein incorporated by this reference.

SECTION 2. That the proposal of Stirlings, LLC to lease the following described lands lying within the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF PARCEL "B", "THE BAREFOOT MAILMAN", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 152, PAGE 32, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LESS AND EXCEPT THAT PORTION OF SAID PARCEL "B" SUBJECT TO THE RIVERWALK LINEAR PARK AND UTILITY EASEMENT, AS SHOWN ON SAID PLAT; SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

is hereby accepted as, in the judgment of the City Commission, the most advantageous lease proposal for the City.

SECTION 3. That the City Commission hereby authorizes the preparation of a form of the lease for execution embodying the terms and conditions set forth in Resolution No. 13-84 and the terms and conditions of the lease proposal together with other legal requirements deemed appropriate by the City Attorney, all for submission to the City Commission at their January 7, 2014 regular meeting for consideration of whether to authorize execution of the lease.

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

SECTION 5. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by City officials.

SECTION 6. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2013.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH