

RESOLUTION NO. 13-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT FOR PARCEL 2 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

WHEREAS, pursuant to Resolution, 11-253 adopted the 7TH day of September, 2011, the City entered into an Amended and Restated Lease Agreement (“Lease Agreement”) for the lease of Parcel 2 at the Fort Lauderdale Executive Airport with Zeley Aviation, Inc. (“Lessee”); and

WHEREAS, at its meeting of April 17 2012, the City Commission of the City of Fort Lauderdale approved a First Amendment to the Lease Agreement to allow modification of the redevelopment plan resulting in addition of new facilities and reduction in construction costs; and

WHEREAS, Lessee and its sublessees have experienced issues with the redevelopment plan and have presented a revised site plan for City consideration and approval; and

WHEREAS, Lessee has requested and Lessor wishes to execute a Second Amendment to Lease Agreement to reflect: (a) an increase in rent to \$172,275.44 annually effective April 1, 2014; (b) termination of the Lease Agreement on April 1, 2015 if the Lessee fails to construct 20,000 square feet of new hangar facilities, ramp and drainage improvements; and (c) an increase in rent to include five percent (5%) of potential gross rental receipts of the leasehold improvements prior to commencement date of the Second Amendment effective July 31, 2023; and

WHEREAS, Lessee and Lessor also desire to correct an error in the legal description; and

WHEREAS, at its meeting of January 24, 2013, the Aviation Advisory Board recommended approval of such action; and

WHEREAS, the Lessor declares that amending the Lease Agreement is in the best interest of the City;

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

SECTION 1. That the proper city officials are authorized to enter into a Second Amendment to the Amended and Restated Lease Agreement between the City and Zeley Aviation, Inc.

SECTION 2. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH