

RESOLUTION NO. 13-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING, PURSUANT TO SECTION 8.13 OF THE CITY CHARTER, THE INTENT OF THE CITY COMMISSION TO LEASE PARCEL ONE AND PARCEL TWO, MORE PARTICULARLY DESCRIBED BELOW, TO THE BROWARD COUNTY MINORITY BUILDERS COALITION, INC., A FLORIDA NOT FOR PROFIT CORPORATION; SAID PARCELS TO BE USED FOR RESIDENTIAL RENTAL PROPERTIES TO BE RENTED TO LOW TO MODERATE INCOME FAMILIES FOR A TERM OF FIVE (5) YEARS, WITH AN OPTION TO RENEW FOR AN ADDITIONAL FIVE (5) YEARS AT AN ANNUAL RENT OF ONE DOLLAR (\$1.00), SUBJECT TO FURTHER TERMS AND CONDITIONS; SCHEDULING A PUBLIC HEARING BEFORE THE CITY COMMISSION ON JUNE 4, 2013 FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZATION FOR EXECUTION OF SAME BY THE PROPERT CITY OFFICIALS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Parcel One is described as follows:

Lots 1 and 2, Block 134 of PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, Page 18 of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida.

Folio # 4942 34 03 7570

(Street Address: 1145 N.W. 5th Avenue
Fort Lauderdale, FL)

WHEREAS, Parcel Two is described as follows:

Lot 22, Block 3, of SEMINOLE FOREST, according to the Plat thereof, as recorded in Plat Book 14, Page 16 of the Public Records of Broward County, Florida; said lands lying, situate and being in Broward County, Florida.

Folio # 5042 04 20 0450

(Street Address: 1200 N.W. 3rd Street
Fort Lauderdale, FL)

WHEREAS, Broward County Minority Builders Coalition, Inc., a Florida not for profit corporation ("BCMBC") was founding in 1971 and is qualified as an Internal Revenue Code 501 (c) (3) corporation; and

WHEREAS, BCMBC's mission is to enhance the construction industry in Broward County by ensuring the active participation of highly capable minority and women-owned businesses (M/WBEs) in contracting, by expanding the opportunities for highly skilled citizens to join the local construction labor force; and

WHEREAS, among other matters, BCMBC participates in a Community Improvement Program which assists in improving and maintaining owner-occupied housing to correct Code violations, which prevents further deterioration and stops the loss of energy and infiltration of outside elements; and

WHEREAS, BCMBC rehabilitated Parcel One and Parcel Two using Community Development Block Grant (CDBG) funds; and

WHEREAS, Parcels One and Two were rehabilitated with the intention that they would provide rental opportunities for low to moderate income families according to CDBG criteria;

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

SECTION 1. That the City of Fort Lauderdale, pursuant to Section 8.13 of the City Charter, hereby declares its intention to lease Parcel One and Parcel Two, described above, to Broward County Minority Builders Coalition, Inc., a Florida not for profit corporation qualified as an Internal Revenue Code 501 (c) (3) corporation, for a term of five (5) years, with an option to renew for an additional five (5) years at an annual rent of One Dollar (\$1.00) to be used for residential rental property to be rented to low to moderate income families as those standards are set by U.S. Housing and Urban Development (“HUD”).

SECTION 2. The Parcels subject to being leased contain affordable housing units that must be occupied by individuals or families that meet the Department of Housing and Urban Development’s (“HUD”) criteria for low to moderate income households. The City does not lease or manage residential property, and intends on leasing the Parcels in question to a local not-for-profit organization that has experience in working with low to moderate income households to provide housing opportunities. Because the City must rent the housing units to low to moderate income individuals or households and the Broward County Minority Builders Coalition, Inc. works with low to moderate income individuals and households, it is deemed by the City Commission that partnering with a local not-for-profit organization to lease the Parcels to be re-leased for residential purposes to the low to moderate income population is in the best interests of the City.

SECTION 3. It is the intention of the of City Commission to lease the Parcels to BCMBC, who, pursuant to the terms of the lease, will be obligated to lease the units to eligible housing clients, with the Building Manager for BCMBC handling the day-to-day property management to ensure that the program meets all applicable Federal and State housing program requirements.

SECTION 4. That the terms and conditions that will be incorporated in the lease shall be the following:

- A. Lease of Lease Premises
- B. Term of Lease
- C. Options to Renew
- D. Rent_and Additional Rent

- E. Use of Premises
- F. H.U.D. National Objectives
- G. Tenant Eligibility
- H. Fair Market Rent (Affordability)
- I. Program Income and Expenses
- J. Annual Occupancy Report
- K. Taxes
- L. Utilities
- M. Condition of Lease Premises
- N. Maintenance and Repair
- O. Federal and State Requirements
- P. Liens
- Q. Alternations
- R. Entry and Inspection of Lease Premises
- S. Insurance and Indemnification
- T. Assignment and Subletting
- U. Lessor's Remedies
- V. Provisions respecting low to moderate income households
- W. Retention and Record Keeping
- X. Client Data
- Y. Right to Inspect Records
- Z. Audit
- AA. Miscellaneous

SECTION 5. Pursuant to the provisions of City Charter Section 8.13, a public hearing before the City Commission is scheduled for the June 4, 2013 Regular Meeting of the City Commission, to be held at City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL 33301 starting at 6:00 PM or as soon after as same may be heard. The purpose of the public hearing is to consider such proposal to lease the Parcels, at which time citizens and taxpayers shall have the opportunity to object to the execution, form or conditions of the proposed lease. If the City Commission is satisfied with the terms and conditions of the proposed lease, the Commission will adopt a Resolution authorizing execution of the lease by the property City officials.

SECTION 6. The City Clerk shall publish in the official newspaper of the City for two (2) issues prior to the date set for considering such proposal, with the first publication not less than ten (10) days before said date of hearing.

SECTION 7. That any and all Resolutions in conflict herewith are hereby repealed.

SECTION 8. That this Resolution shall be in full force and effect upon and after its final passage.

ADOPTED this the 16th of April, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH