

RESOLUTION NO. 18-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING NOTICE OF ITS INTENT TO LEASE FOR PURPOSES CONSISTENT WITH THE PUBLIC GOOD PURSUANT TO SECTION 8.13 OF THE CITY CHARTER THE REAL PROPERTY LOCATED ALONG THE SOUTH SIDE OF NE 10<sup>th</sup> STREET, DANIA BEACH, FLORIDA AND, MORE PARTICULARLY DESCRIBED BELOW, TO BROWARD MARITIME INSTITUTE INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO PROVIDE MARITIME TRAINING FOR VETERANS AND BOATING PROGRAMS FOR DISADVANTAGED CHILDREN FOR A TERM NOT TO EXCEED TEN (10) YEARS AT AN ANNUAL RENT NOT TO EXCEED ONE AND NO/100 DOLLARS (\$1.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON TUESDAY, APRIL 3, 2018, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

WHEREAS, the City of Fort Lauderdale (the "City"), owns the real property located on the south side of NE 10<sup>th</sup> Street, Dania Beach, Florida ("Dania Farms"); and

WHEREAS, the City finds that it is the City's best interest to lease the property Dania Farms to Broward Maritime Institute Inc., a Florida not for profit corporation; and

WHEREAS, Broward Maritime Institute Inc., will construct a small building on the property to provide maritime training for veterans and boating programs for disadvantaged children; and

WHEREAS, the City finds that Broward Maritime Institute, Inc., has the ability to operate and manage recreational and boating programs for the youth and veterans of the City and Broward County, Florida; and

WHEREAS, such use of Dania Farms will not conflict with current and future uses on public lands adjacent thereto;

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

SECTION 1. That the City Commission of the City of Fort Lauderdale, pursuant to Section 8.13 of the City Charter, hereby declares its intention to lease Dania Farms which is located on the south side of NE 10<sup>th</sup> Street, Dania Beach, Florida, such property being more particularly described below, to Broward Maritime Institute Inc., a Florida not for profit corporation, for a term not to exceed ten (10) years at an annual rent not to exceed One and No/100 Dollars (\$1.00). Broward Maritime Institute Inc., shall build a small building to provide maritime training for veterans and boating programs for disadvantaged children, said Dania Farms being more particularly described as follows:

The West ½ of the East ¼ of the North ¼, less the N. 35 feet and less the S. 100 feet thereof of Section 34, Range 42 E., Township 50 South, of the public Records of Broward County, Florida.

(Hereinafter, "Dania Farms")

SECTION 2. That the City Commission declares that leasing Dania Farms to Broward Maritime Institute Inc., is in the best interest of the City as the building will serve the public and provide a public benefit.

SECTION 3. That the Lease shall contain a one year cancellation clause for convenience in favor of the Lessor and execution of the Lease is conditioned on receipt from Broward Maritime Institute Inc. of a tax exempt determination letter from the Internal Revenue Service. Any bonds or obligations encumbering the property must be satisfied prior to entering into the Lease. Further, the following terms and conditions will be incorporated in the lease as follows:

- A. Lease of Lease Premises
- B. Term of Lease
- C. Prepaid Rent and Additional Rent
- D. Use of Premises
- E. Hazardous Substances
- F. Condition of Leased Premises
- G. Liens
- H. Entry and Inspection of Premises
- I. Insurance and Indemnification
- J. Assignment and Subletting
- K. Lessor's Remedies
- L. Taxes and Utilities

- M. Compliance with Codes and Regulations
- N. Rights to Inspect and Audit
- O. Public Records
- P. Permitted Uses
- Q. Other Terms and Conditions

**SECTION 4.** That a Public Hearing shall be heard before the City Commission on Tuesday, **April 3, 2018**, at 6:00 p.m., at City Hall, located at 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 or as soon thereafter as can be heard, regarding the proposed lease at which time citizens and taxpayers shall have the opportunity to object to the execution, form or conditions of the proposed lease, and, if the City Commission is satisfied with the terms and conditions of the proposed lease, the Commission will pass a Resolution authorizing execution of the lease by the proper City officials.

**SECTION 5.** That the City Clerk shall cause this Resolution to be published in full in the official newspaper for two (2) issues, with the first publication at least ten (10) days before the date of such Public Hearing scheduled for Tuesday, **April 3, 2018**, at 6:00 p.m., or as soon after as can be heard, at City Hall located at 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 and second publication five (5) days after the first publication.

**SECTION 6.** That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this 20th day of February, 2018.



Mayor

JOHN P. "JACK" SEILER

ATTEST:



City Clerk

JEFFREY A. MODARELLI