



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: March 19, 2013

TITLE: Resolution approving a Lease Agreement with GS Exchange, LLC to
provide parking and the lease of City airspace for the Exchange Lofts at
the City Hall Garage

Recommendation

It is recommended that the City Commission adopt a resolution authorizing the proper City officials to execute a lease agreement for 128 parking spaces on the 4th floor of the City Hall Garage to provide parking for the Exchange Lofts residents and the lease of City airspace over City property to allow for the construction of a pedestrian bridge walkway structure that will attach to the City Hall Garage for a period of 30 years.

Background

The Transportation and Mobility Department operates a multi-level parking garage commonly known as the City of Fort Lauderdale City Hall Garage located on the north side of NE 1st Street. GS Exchange, LLC owns the residential apartment building commonly known as Exchange Lofts located at 115 NE 3rd Avenue, immediately east of the City Hall Garage, which is in a City Zoning District that does not require parking.

GS Exchange, LLC would like to lease 128 parking spaces on the roof (i.e. fourth level) of the City Hall Garage for 30 years. The residents of Exchange Lofts would access the parking via a pedestrian bridge structure that will be constructed by the Exchange Lofts contractor connecting at the fourth floor level of the City Hall Garage. The lease includes the air rights to attach the pedestrian path to our garage.

GS Exchange, LLC agrees to pay the City for each year of the Lease Term, monthly, in advance, on the first day of each month, respectively, of each year, the annual base rent in the amount of \$76,800 Dollars, plus sales tax, subject to the provisions set forth in the agreement. GS Exchange, LLC recognizes that the City Hall Garage constitutes an integral part of the City's overall parking system and accordingly, the parking rates for the spaces in the City Hall Garage are subject in all respects to adjustment by the

City for any reason required by the needs of the overall parking system.

The Agreement requires the Lessee to have the City's Development Review Committee approve the plans and specifications for the construction of the pedestrian bridge. The Lessee is also required to secure a Payment and Performance Bond in the amount of \$1 million dollars prior to commencement of the construction naming the City as the third party beneficiary and keep an insurance policy in place in the amount of \$1 million dollars per person and \$3 million dollars per occurrence related to any liability associated with the Lease Agreement. The Lessee will be responsible for the maintenance and repair of the pedestrian bridge. The lease term will began upon the Lessee filing a Notice of Commencement in the Public Records of Broward County. However, the leasing of the 128 parking spaces will not begin until the Certificate of Occupancy is issued by the City for the pedestrian bridge.

At the request of the Lessee, this item was deferred from the February 19, 2013 Commission Agenda.

Attached as Exhibit 1 is the Lease Agreement and attached as Exhibit 2 is the Resolution.

Resource Impact

There is a positive fiscal impact to the City in the amount of \$43,750 in the current fiscal year.

Revenue:							
SUB				SUB			
FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT NAME	AMOUNT
461	01	Parking Services	TAM020403	Parking-City Hall Garage	J531	Pmt-O Lot	\$43,750.00
				TOTAL			43,750.00

- Attachment(s)
 Exhibit 1 Lease Agreement
 Exhibit 2 Resolution

Prepared by: Brian McKelligett, Parking Service Manager

Department Director: Diana Alarcon, Transportation and Mobility