

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO TERMINATE AN AMENDED AND RESTATED LEASE AGREEMENT WITH SOUTHEAST TOYOTA DISTRIBUTORS, LLC AND EXECUTE A LEASE AGREEMENT WITH JM FAMILY ENTERPRISES, INC. TO LEASE PARCEL 8H AT THE FORT LAUDERDALE EXECUTIVE AIRPORT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Southeast Toyota Distributors, LLC ("Southeast Toyota") currently leases Parcel 8H at Fort Lauderdale Executive Airport ("FXE") which consists of 5.13 acres; and

WHEREAS, the General Aviation Airport (GAA) zoned property has been improved with the construction of two large hangars, totaling approximately 27,600 square foot, approximately 7,800 square foot of office space, a fuel farm, and associated aircraft and automobile parking; and

WHEREAS, the lease agreement dated April 1, 1985, is scheduled to expire in 2025; and

WHEREAS, the City of Fort Lauderdale, Florida ("City") and Southeast Toyota have mutually agreed to terminate the lease for Parcel 8H to facilitate the execution of a new lease with JM Family Enterprises, Inc. ("JM Family"), a member of Southeast Toyota, for Parcel 8H which would allow them to continue to house their corporate flight department including four business jets; and

WHEREAS, the Lease Agreement will include an initial twelve (12) year term starting on May 1, 2023, and will include two (2) ten (10) year options to extend the Lease; and

WHEREAS, the current rent is \$57,356.64 per year (\$0.26 per square foot); and

WHEREAS, the Lease Agreement provides that the rent will be increased to \$122,904.10 per year for Parcel 8H, with annual Consumer Price Index adjustments; and

WHEREAS, the City Manager has certified that leasing Parcel 8H is in the best interests of the City; and

WHEREAS, on August 25, 2022, the Aviation Advisory Board recommended that the City Commission approve an Amended and Restated Lease Agreement with Southeast Toyota for Parcel 8H that had terms substantially similar to those offered under the proposed lease to JM Family.

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

SECTION 1. That the Recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, pursuant to Section 8.10 of the City Charter, hereby finds that leasing Parcel 8H is in the best interest of the City of Fort Lauderdale and hereby approves the termination of the Lease Agreement with Southeast Toyota Distributors, LLC and enter into a new Lease Agreement with JM Family Enterprises, Inc., leasing Parcel 8H to LESSEE for a term of twelve (12) year term starting on May 1, 2023, and will include two (2) ten (10) year options to extend the Lease. Parcel 8H is more particularly described in the Lease Agreement attached hereto as "Exhibit A".

SECTION 3. That the City Commission hereby authorizes the City Manager to execute the Lease Agreement attached hereto as "Exhibit A", subject to final review and approval by the City Attorney's office.

SECTION 4. That all resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. That this Resolution shall be in full force and effect upon final passage and adoption.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Warren Sturman _____

PLACEHOLDER FOR EXHIBIT “A”

FULLY-EXECUTED LEASE AGREEMENT
in a form substantially similar to Exhibit 4 of
Commission Agenda Memorandum 23-0091
on the April 18, 2023, City of Fort Lauderdale
City Commission Regular Meeting agenda