

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA FINDING A PUBLIC PURPOSE; APPROVING AN EXTENSION OF THE TERM OF LEASE WITH CORAL RIDGE GOLF COURSE, INC. IN EXCHANGE FOR A GRANT OF MULTIPLE EASEMENTS SUBJECT TO TERMS AND CONDITIONS; ACCEPTING EASEMENTS FROM CORAL RIDGE GOLF COURSE, INC.; ABANDONING AN EXISTING EASEMENT; APPROVING THE LAND RIGHTS SWAP AGREEMENT AND FIRST AND SECOND AMENDMENT TO LEASE WITH CORAL RIDGE GOLF COURSE, INC.; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT AND OTHER DOCUMENTS; DELEGATING AUTHORITY TO THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale (the "City") is the owner of a landlocked parcel within Coral Ridge Golf Course (the "City Site"); and

WHEREAS, Coral Ridge Golf Course, Inc. ("Coral Ridge") holds a leasehold interest under a Lease dated March 24, 1999 (the "Lease"), on a portion of the City Site which serves as the maintenance facility and driving range for the Coral Ridge Golf Course; and

WHEREAS, the City is the beneficial owner of an ingress, egress and sewer easement ("Existing Blue Line Easement") within the Golf Course which provides access to the unencumbered portion of the City Site and provides sewer infrastructure to support the City's sewer system; and

WHEREAS, the City is interested in acquiring an easement to install a new sewer force main ("Green Line Easement") and is interested in reconfiguring the Existing Blue Line Easement together with an ingress and egress easement to the City Site; and

WHEREAS, pursuant to Consent Order 16-1487 (the "Consent Order") entered in the matter of State of Florida, Department of Environment Protection v. City of Fort Lauderdale OGC No. 16-1487, the City must replace or rehabilitate the existing force main by September 30, 2026 (the "Project"); and

WHEREAS, Coral Ridge is interested in extending the term of the Lease in exchange for granting certain easements, rights and privileges to the City over, under and within certain portions of Coral Ridge Golf Course according to the terms and conditions set forth in the Land Rights Swap Agreement; and

WHEREAS, the City is willing to amend the Lease to extend the term for a period not to exceed fifty (50) years provided Coral Ridge grants the necessary easements, reasonably cooperates with the City, its agents and employees in installing the sewer infrastructure and complies with other terms, covenants and condition, and provided such cooperation does not require Coral Ridge to materially alter its operations as a private premium golf course outside of the dates set forth in the Land Rights Swap Agreement; and

WHEREAS, an exchange of property rights as set forth herein to improve the City's sewer system serves a valid municipal purpose and constitutes a public purpose and use under Section 8.04 (f) of the City Charter; and

WHEREAS, the City and Coral Ridge are desirous of entering into the Land Rights Swap Agreement which provides for an exchange of the foregoing property rights.

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 8.04 (f) of the City Charter, finds that an exchange of property rights to improve the City's sewer system serves a valid municipal purpose and constitutes a public purpose and use.

SECTION 3. That the City Commission hereby authorizes the proper City Officials to execute the Land Rights Swap Agreement and other documents described therein, in substantially the form attached to Commission Agenda Memorandum No. 23-0495, subject to final review and approval by the City Attorney's office. Further, the City Commission agrees to abandon certain easements in accordance with the terms and conditions set forth in the Land Rights Swap Agreement. The City Manager or his designee is delegated authority to negotiate additional terms and conditions or modify the terms and conditions of the Land Rights Swap Agreement, the Blue Line Easement or the Green Line Easement or any and all amendments to the Lease, take such further actions, and make such further determinations and decisions he deems advisable in order to meet the terms, conditions and/or deadlines of the Consent Order and to consummate

installation of the necessary and appropriate infrastructure for the sewer system within and around Coral Ridge Golf Course.

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

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

APPROVED AS TO FORM:

Pamela Beasley-Pittman _____

Warren Sturman _____

Interim City Attorney
D'WAYNE M. SPENCE