

RESOLUTION NO. 16-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 16-05; PROVIDING FOR NOTICE OF A NEW HEARING DATE BEFORE THE CITY COMMISSION ON TUESDAY, MARCH 1, 2016 FOR CONSIDERATION OF A LEASE BETWEEN THE CITY OF FORT LAUDERDALE AND YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTH FLORIDA, INC.

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WHEREAS, the City Commission approved Resolution No. 16-05 on January 5, 2016; and

WHEREAS, the Resolution provided for a Public Hearing on Tuesday, February 2, 2016 for consideration of a Lease between the City of Fort Lauderdale and Young Men's Christian Association of South Florida, Inc.; and

WHEREAS, the Young Men's Christian Association of South Florida, Inc., a Florida not for profit corporation ("YMCA") has requested a delay of the Public Hearing; and

WHEREAS, the City Commission has agreed to delay the Public Hearing;

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

SECTION 1. The Recitals are true and correct and incorporated herein by reference.

SECTION 2. That the Public Hearing scheduled for February 2, 2016 has been delayed until March 1, 2016.

SECTION 3. That the City Clerk shall cause Resolution 16-05, as amended, 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 the Public Hearing scheduled for March 1, 2016 and the second publication five (5) days after the first publication.

SECTION 4. That Resolution No. 16-05 shall remain in full force and effect, except as amended herein.

SECTION 5. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the 2nd day of February, 2016.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI

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RESOLUTION NO. 16-05

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 A PORTION OF THE REAL PROPERTY LOCATED AT 1150 G. HAROLD MARTIN DRIVE, FORT LAUDERDALE, FLORIDA AND, MORE PARTICULARLY DESCRIBED BELOW, TO YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTH FLORIDA, INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO PROVIDE RECREATIONAL AND COMMUNITY PROGRAMS FOR RESIDENTS OF THE CITY AND BROWARD COUNTY, INCLUDING FAMILIES AND SENIORS FOR A TERM NOT TO EXCEED FIFTY (50) YEARS AND FOR AN ANNUAL RENT OF ONE AND NO/100 DOLLAR (\$1.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON TUESDAY, FEBRUARY 2, 2016, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

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WHEREAS, the City of Fort Lauderdale owns the real property located at 1150 G. Harold Martin Drive, Fort Lauderdale, Florida ("Holiday Park"); and

WHEREAS, the Young Men's Christian Association of South Florida, Inc. ("YMCA"), a Florida not for profit corporation, is desirous of leasing a portion of Holiday Park from the City of Fort Lauderdale for a term not to exceed fifty (50) years; and

WHEREAS, according to its charter, YMCA was created, in part, to "strengthen the foundation of the community through three areas of focus: (i) Youth Development..... (ii) Healthy Living..... and (iii) Social Responsibility....." and for other charitable purposes consistent therewith; and

WHEREAS, the City finds that YMCA has the capacity and ability to operate and manage recreational and community programs for residents of the City and Broward County, including families and seniors; and

WHEREAS, operating recreational and community facilities for the public serves a valid municipal purpose; and



WHEREAS, such use of a portion of Holiday Park will not conflict with current and futures 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 a portion of Holiday Park which is located at 1150 G. Harold Martin Drive, Fort Lauderdale, Florida, such property being more particularly described below, to Young Men's Christian Association of South Florida, Inc., a Florida not for profit corporation ("YMCA"), for a term not to exceed fifty (50) years at an annual rent not to exceed One and No/100 Dollar (\$1.00). The YMCA shall construct a recreational and community facility with ancillary uses on a portion of Holiday Park, said portion of Holiday Park being more particularly described as follows:

**DESCRIPTION:**

ALL OF LOTS 5 THRU 21 LESS RIGHT OF WAY FOR NORTH FEDERAL HIGHWAY, BLOCK 252, ALL OF LOTS 34 THRU 48, AND THE WEST 7.5 FEET OF LOTS 7 THRU 15, BLOCK 251, "PROGRESSO" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

ALSO ALL OF LOTS 28 THRU 33, AND THE WEST 18 FEET OF LOTS 17 THRU 21, "REPLAT OF A PORTION OF BLOCK 251 PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 47, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH THAT PROPOSED VACATED PORTION OF NORTHEAST 6<sup>TH</sup> TERRACE BOUNDED ON THE WEST BY THE EAST LINE OF LOTS 5 THRU 21, BLOCK 252, BOUNDED ON THE EAST BY THE WEST LINE OF LOTS 34 THROUGH 44, BLOCK 251, "PROGRESSO" AND ON THE EAST BY THE WEST LINE OF LOTS 28 THRU 33, "REPLAT OF A PORTION OF BLOCK 251 PROGRESSO" BOUNDED ON THE NORTH BY A LINE BETWEEN THE NORTHEAST CORNER OF SAID LOT 5 BLOCK 252 AND THE NORTHWEST CORNER OF SAID LOT 44 BLOCK 251 AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF NORTHEAST 8<sup>TH</sup> STREET (NINNINGER DR.). BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT "A", "THEATER CENTER" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 63, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF NORTHEAST 8<sup>TH</sup> STREET (NINNINGER DRIVE); THENCE N 90° 00' 00" W ALONG SAID NORTH RIGHT OF WAY AND ALSO BEING THE SOUTH LINE OF BLOCKS 251 AND 252, "PROGRESSO" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, A DISTANCE OF 293.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FEDERAL HIGHWAY (US1) AS SHOWN ON FDOT RIGHT OF WAY MAP 86020-2107; THENCE N 00° 00' 00" W ALONG THE EAST RIGHT OF WAY LINE OF FEDERAL HIGHWAY A DISTANCE OF 425.00 FEET TO THE NORTH LINE OF LOT 5, BLOCK 252; THENCE N 90° 00' 00" E ALONG THE NORTH LINE OF SAID LOT 5 AND THE EASTERLY PROLONGATION THEREOF TO THE NORTHWEST CORNER OF LOT 44, BLOCK 251 OF SAID PLAT, A DISTANCE OF 140.00 FEET. THENCE N 00° 00' 00" E, A DISTANCE OF 100 FEET TO THE NORTHWEST CORNER OF LOT 48 AND THE NORTH LINE OF BLOCK 251 OF SAID PLAT AND ALSO BEING THE SOUTH RIGHT OF WAY OF NORTHEAST 9<sup>TH</sup> STREET; THENCE N 90° 00' 00" E ALONG SAID NORTH LINE OF BLOCK 251, A DISTANCE OF 135.00 FEET TO THE NORTHEAST

CORNER OF SAID LOT 48; THENCE S 00° 00' 00" E ALONG EAST LINE OF LOTS 43 THRU 48, A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF LOT 42; THENCE N 90° 00' 00" E, ALONG THE SOUTH LINE OF LOT 6 OF SAID BLOCK 251, A DISTANCE OF 7.50 FEET TO THE NORTHWEST CORNER OF TRACT "A";

THE FOLLOWING FIVE COURSES BEING ALONG THE WESTERLY LINE OF SAID TRACT "A"

THENCE S 00° 00' 00" E, A DISTANCE OF 225.00 FEET;

THENCE N 90° 00' 00" W, A DISTANCE OF 7.50 FEET;

THENCE S 00° 00' 00" E, A DISTANCE OF 25.00 FEET;

THENCE N 90° 00' 00" E, A DISTANCE OF 18.00 FEET;

THENCE S 00° 00' 00" E, A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A" AND THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATE IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 134313 SQUARE FEET MORE OR LESS.

(Hereinafter, "YMCA at Holiday Park")

SECTION 2. That the City Commission declares that leasing said parcel to YMCA is in the best interest of the City as the building will serve the public and provide a public benefit.

SECTION 3. That among the terms and conditions that will be incorporated in the lease shall be:

- 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. Other Terms and Conditions

SECTION 4. That a Public Hearing shall be held before the City Commission on Tuesday, February 2, 2016, at 6:00 p.m., 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

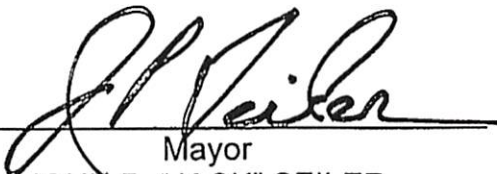


and conditions of the proposed lease, the Commission may pass a Resolution authorizing execution of the lease by the proper City Officials.

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 the Public Hearing scheduled for February 2, 2016, and the 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 the 5th day of January, 2016.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI

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