

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DETERMINING THAT THE NEW RIVER CENTER FLORIDA QUALITY DEVELOPMENT IS ESSENTIALLY BUILT OUT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN KG LAS OLAS LAND TRUST, LLC ("DEVELOPER"), FLORIDA DEPARTMENT OF ECONOMIC DEVELOPMENT, AND THE CITY OF FORT LAUDERDALE.

WHEREAS, pursuant to Resolution No. 89-105 adopted on April 18, 1989, the City Commission of the City of Fort Lauderdale, Florida ("City Commission"), recommended that the New River Center development be designated under the Florida Quality Development Program as provided in Section 380.061, Florida Statutes, and approved the issuance of a development order for the project; and

WHEREAS, the Department of Community Affairs, now known as the Department of Economic Opportunity ("DEO"), issued the Development Order for the New River Center Florida Quality Development ("FQD") on May 5, 1989; and

WHEREAS, pursuant to Resolution No. 93-185 adopted on November 2, 1993, the City Commission recommended an amendment to the FQDO to extend the buildout date for the FQD until December 31, 2003; and

WHEREAS, on November 17, 1993, the DEO approved the amendment to the FQDO; and

WHEREAS, pursuant to Resolution No. 96-108 adopted on July 2, 1996, the City Commission recommended a second amendment to the FQDO to revise the fair share obligation, revise the phasing for the project and authorize the development of 300 residential units within the FQD; and

WHEREAS, on September 19, 1996, the DEO approved the Second Amendment to the FQDO; and

WHEREAS, pursuant to Resolution No. 97-156 adopted on October 7, 1997, the City Commission recommended a third amendment to the FQDO to authorize the increase of the number of residential units within the FQD; and

WHEREAS, on October 16, 1997, the DEO approved the Third Amendment to the FQDO; and

WHEREAS, pursuant to Resolution No. 05-147 adopted on September 7, 2005, the City Commission recommended a fourth amendment to the FQDO to extend the buildout date for the FQD to December 31, 2008, to reduce the amount of office development in Phase II and provide for Bi-annual reports; and

WHEREAS, on April 18, 2006, the DEO approved the Fourth Amendment to the FQDO; and

WHEREAS, pursuant to Resolution No. 15-55, adopted on March 17, 2015, the City Commission expressed no objection to the modification of the FQDO to remove Parcel C; and

WHEREAS, on April 3, 2015, the DEO approved the Fifth Amendment to the FQDO; and

WHEREAS, the applicant, KG Las Olas Trustee, has requested that the City execute an Essentially Built Out Agreement for the New River FQD; and

WHEREAS, the request and agreement has been reviewed and the City Commission has found that the FQD is essentially built out.

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and herein incorporated by this reference.

SECTION 2. That the City Commission hereby finds that the FQD is essentially built out.

SECTION 3. That the City Manager is authorized to execute the Essentially Built Out Agreement with the Developer and the DEO in substantially the same form as attached to Commission Agenda Memorandum No. 17-0367 as Exhibit 2.

SECTION 4. That the Office of the City Attorney shall review and approve as to form all documents prior to their execution by proper City officials.

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

ADOPTED this the ____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI