

RESOLUTION NO. 19-28

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 THE REAL PROPERTY LOCATED AT 800 NE 8 STREET, FORT LAUDERDALE, FLORIDA (COMMONLY KNOWN AS WAR MEMORIAL AUDITORIUM) AND, MORE PARTICULARLY DESCRIBED BELOW, TO WAR MEMORIAL BENEFIT CORPORATION, A SOCIAL PURPOSE CORPORATION, TO OPERATE RECREATIONAL AND SPORTS PROGRAMS FOR RESIDENTS OF THE CITY FOR A TERM NOT TO EXCEED FIFTY (50) YEARS AT AN ANNUAL RENT NOT TO EXCEED ONE AND NO/100 DOLLARS (\$1.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON TUESDAY, APRIL 16, 2019, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

WHEREAS, the City of Fort Lauderdale (the "City"), owns the real property located at 800 NE 8<sup>th</sup> Street, Fort Lauderdale, Florida ("War Memorial Auditorium"); and

WHEREAS, the City finds that it is the City's best interest to renovate and lease War Memorial Auditorium to War Memorial Benefit Corporation, a Florida social purpose corporation; and

WHEREAS, War Memorial Benefit Corporation shall renovate the War Memorial Auditorium to provide recreational and sports programs for residents of the City; and

WHEREAS, the City finds that War Memorial Benefit Corporation has the capacity and ability to operate and manage recreational and sports programs for residents of the City and Broward County; and

WHEREAS, operating recreational and sports facilities for the public serve a valid municipal purpose; and

WHEREAS, such use of War Memorial Auditorium will not conflict with current and future 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 the War Memorial Auditorium which is located at 800 NE 8<sup>th</sup> Street, Fort Lauderdale, Florida, such property being more particularly described below, to War Memorial Benefit Corporation, a Florida social purpose corporation, for a term not to exceed fifty (50) years at an annual rent not to exceed One and No/100 Dollars (\$1.00). War Memorial Benefit Corporation shall operate and manage several recreational and other related public purposes within War Memorial Auditorium, being more particularly described as follows:

Beginning at a point fifty (50) feet south of the centerline of Northeast Tenth Street and on the east property line of Northeast Tenth Avenue; thence southerly eight hundred sixty (860) feet to a point which will be the northeast corner of proposed described property; thence continue southerly seven hundred (700) feet to a point; thence westerly four hundred twenty-five (425) feet to the east right-of-way line of Park Drive; thence northerly seven hundred (700) feet to a point on the east property line of such Park Drive; thence easterly four hundred twenty-five (425) feet to a point being the northeast corner of described tract; thence northerly eight hundred sixty (860) feet to the point of beginning; located in Holiday Park, a resubdivision in Progresso, Fort Lauderdale, Florida, and containing six and eighty-three-hundredths (6.83) acres.

(Hereinafter, "War Memorial Auditorium")

SECTION 2. That the City Commission declares that leasing the War Memorial Auditorium to War Memorial Benefit Corporation 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. Rights to Inspect and Audit
- O. Public Records
- P. Permitted Uses
- Q. Other Terms and Conditions

**SECTION 4.** That a Public Hearing shall be heard before the City Commission on Tuesday, **April 16, 2019**, at 6:00 p.m., at City Hall, located at 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 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 will 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 such Public Hearing scheduled for Tuesday, **April 16, 2019**, at 6:00 p.m., or as soon after as can be heard, at City Hall located at 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 and 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 19th day of February, 2019.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI