

RESOLUTION NO. 19-

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, REAL PROPERTY LOCATED AT 1790 SW 43 WAY, UNINCORPORATED, FLORIDA 33317 AND, MORE PARTICULARLY DESCRIBED BELOW, TO THE ANN STORCK CENTER, INC., ("ASC") A FLORIDA NOT FOR PROFIT CORPORATION, TO BE USED FOR THE EDUCATION AND CARE OF CHILDREN AND ADULTS WITH DEVELOPMENTAL DISABILITIES FOR THE RESIDENTS OF THE CITY OF FORT LAUDERDALE FOR A TERM OF FIFTY (50) YEARS AT AN ANNUAL RENT OF ONE DOLLAR (\$1.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON TUESDAY, JANUARY 7, 2020; PROVIDING FOR SIMULTANEOUS TERMINATION OF LEASE AGREEMENT BETWEEN THE CITY AND ASC, DATED DECEMBER 20, 1983, AS AMENDED AND RESTATED ON DECEMBER 23, 1998, AS FURTHER DESCRIBED HEREIN; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida, (the "City"), owns the real property located at 1790 SW 43 Way, Unincorporated, Florida, 33317; and

WHEREAS, the Ann Storck Center, Inc., ("ASC") a Florida not for profit corporation ("ASC"), currently leases \pm 575,092 square feet of land and a \pm 30,818 square feet building from the City of Fort Lauderdale, located at 1790 SW 43 Way, Unincorporated, Florida, 33317 ("Current Lease") for the purposes of providing residential facilities for children and adults with developmental disabilities; and

WHEREAS, the current lease agreement between the City and ASC is scheduled to expire on July 2, 2032; and

WHEREAS, due to needed improvements and planned expansion of the Ann Stork Center, ASC desires to terminate the Current Lease and enter into a new lease agreement with the City of Fort Lauderdale, for a term of fifty (50) year for an annual rent of One Dollar (\$1.00); and

WHEREAS, Section 8.13 of the Charter of the City of Fort Lauderdale, Florida, requires a Public Hearing be held before the City Commission regarding such proposal.

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 land and building located at 1790 SW 43 Way, Unincorporated, Florida, 33317 ("Property"), such property being more particularly described below, to ASC for a term of fifty (50) years at an annual rental amount of One Dollar (\$1.00). ASC currently operates and manages the space more particularly described as follows:

ANN STORCK CENTER 121-11B PARCEL A LESS PT DESC'D
IN OR 22964/627 FOR RD R/W.

SECTION 2. That the City Commission declares that terminating the Current Lease upon approval of a new lease of the Property to ASC is in the best interest of the City as it 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 Leased Premises
- B. Term of Lease
- C. Rent and Additional Payments
- D. Use of Premises
- E. Condition of Premises
- F. Liens
- G. Entry and Inspection of Premises
- H. Insurance and Indemnification
- I. Assignments and Subletting
- J. Lessor's Remedies
- K. Miscellaneous

SECTION 4. That a Public Hearing shall be heard before the City Commission on Tuesday, January 7, 2020, 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 termination of the Current Lease and execution of a new lease agreement 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, January 7, 2020 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 seven (7) days after the first publication.

SECTION 5. That any all Resolutions in conflict herewith are hereby repealed.

SECTION 6. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby but shall remain in full force and effect.

SECTION 7. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the ____ day of _____, 2019.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI