

RESOLUTION NO. 20-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THE PUBLIC PURPOSE AND PUBLIC NECESSITY OF ACQUIRING REAL PROPERTY LOCATED AT 1201-1205 SW 1ST STREET, FORT LAUDERDALE, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A" FOR THE PURPOSE OF THE CONSTRUCTION OF POLICE AND PUBLIC SAFETY FACILITIES, WHICH INCLUDES THE NEW POLICE AND PUBLIC SAFETY HEADQUARTERS, AS PART OF THE POLICE AND PUBLIC SAFETY PROJECTS WITHIN THE CITY OF FORT LAUDERDALE; AUTHORIZING THE ACQUISITION OF THE SUBJECT PROPERTY BY PURCHASE OR EMINENT DOMAIN AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the City of Fort Lauderdale is a municipality organized and existing under the laws of the State of Florida and is authorized under Chapters 73, 74, and 166, Florida Statutes to acquire privately owned lands, which are necessary for a public purpose; and

WHEREAS, the acquisition of the real property located at 1201-1205 SW 1<sup>st</sup> Street, Fort Lauderdale, Florida is necessary to construct police and public safety facilities, which is part of the Police and Public Safety Projects as described in City of Fort Lauderdale Resolution No. 20-09, and is a matter of great importance and concern to the residents of the City of Fort Lauderdale; and

WHEREAS, the project includes but is not limited to the construction of the new police and public safety headquarters building and parking garage; and

WHEREAS, the real property located at 1201-1205 SW 1<sup>st</sup> Street, Fort Lauderdale, Florida is legally described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the real property described in Exhibit "A" is needed to accomplish a public purpose to construct police and public safety facilities, which includes the new police and public safety headquarters building and parking garage, as part of the Police and Public Safety Projects; and

WHEREAS, the acquisition of the real property described in Exhibit "A" will further the health, safety, and welfare of the residents of the City of Fort Lauderdale; and

WHEREAS, City staff has recommended, based upon consideration of alternative sites, costs, long range planning, environmental factors and safety considerations that the property legally described in Exhibit "A" is necessary for the location of the police and public safety facilities to serve the residents of the City of Fort Lauderdale; and

WHEREAS, the City Commission finds that the construction of police and public safety facilities, which includes the new police and public safety headquarters, is a public purpose.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein. All exhibits attached hereto are hereby incorporated herein.

SECTION 2. The acquisition of the property described in Exhibit "A" attached hereto is necessary in order to construct police and public safety facilities, including the new police and public safety headquarters.

SECTION 3. The construction of police and public safety facilities, including the new police and public safety headquarters serves a public purpose.

SECTION 4. The City Commission hereby finds that it is necessary, serves a municipal and public purpose, and is in the best interest of the City of Fort Lauderdale to acquire the real property described in Exhibit "A" to construct police and public safety facilities, which includes the new police and public safety headquarters, as part of the Police and Public Safety Projects.

SECTION 5. The City of Fort Lauderdale is authorized to acquire fee simple title to the property described in Exhibit "A" by purchase or eminent domain as provided in Chapters 73, 74, and 166, Florida Statutes.

SECTION 6. The City Manager or his designee, shall first attempt to acquire the property through negotiations at a price agreeable to both the City and the seller. If such negotiations fail within a reasonable time from the adoption of this resolution, the City Attorney or his designee are authorized and directed to institute a lawsuit in the name of the City of Fort Lauderdale, Florida, and exercise eminent domain powers for the purpose of acquiring the real property described in Exhibit "A", attached hereto. The City Manager and City Attorney, or their designees, are authorized to sign and file all documents, pleadings, and other instruments, that they deem necessary and appropriate under Chapters 73, 74, and 166, Florida Statutes. The City Manager

and City Attorney, or their designees, are authorized to hire experts for the City and take all necessary actions associated with or arising out of such eminent domain proceedings. The City Manager and City Attorney, or their designees, are further authorized to take all actions necessary to bring the case to final judgment. The City Manager or his designee are specifically authorized to accomplish acquisition of the real property described in Exhibit "A" by settlement and compromise if it can be accomplished, in accordance with the terms, conditions, and limitations established by the City Commission.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Lots 1, 2, 3 and 4 and the South One-half (1/2) of the vacant alley abutting said Lots in Block 125 of Waverly Place, according to the Plat thereof, as recorded in Plat Book 2, Page 19, of the Public Records of Miami-Dade County, Florida; Said Lands Lying and Being in Broward County, Florida