



Broward County

Legislation Text

File #: 22-771, Version: 1

Broward County Commission Regular Meeting

Director's Name: Mark Gale

Department: Aviation

Division: Business

Information

Requested Action

MOTION TO APPROVE First Amendment to Agreement of Lease between Broward County and The Carolina Group, Inc. to permit the Director of Aviation to provide notice to permit the existing Aircraft Fuel Farm Facility to remain on the premises at Broward County's Fort Lauderdale-Hollywood International Airport upon Lease expiration; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Section 2-40(a) of the Broward County Code of Ordinances, requires that the Broward County Board of County Commissioners ("Board") authorize any commercial activities or occupation of any portion of the airport.

What Action Accomplishes

Allows the Director of Aviation to give written notice to The Carolina Group informing Lessee that the Aircraft Fuel Farm Facility shall remain on the Premises for future fixed based operator ("FBO") use.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

THE AVIATION DEPARTMENT RECOMMENDS APPROVAL OF THE ABOVE MOTION.

On November 19, 1991 (Items No. 43A & B), the Board approved an Agreement of Lease between Broward County and The Carolina Group, Inc. for the lease of an approximately 18.2 acre parcel on the north side of FLL and waived Section 39.3(b)(1) of the Broward County Administrative Code to provide for a lease term of more than 20 years.

On May 26, 1992 (Item 1A), the Board approved Amendment No. 1 to the Agreement of Lease between Broward County and The Carolina Group, Inc. bifurcating the original parcel under The Carolina Group Agreement of Lease into two separate parcels measuring 1.4 acres and 16.8 acres. Amendment No. 1 retained the 1.4 acre parcel under The Carolina Group Agreement of Lease. The Aircraft Fuel Farm Facility is located on the 1.4 acre parcel.

On the same agenda (Item 1B), Broward County and Virginia-Carolina, a Joint Venture, entered into

an Agreement of Lease for the 16.8 parcel and additional land for the development of the FedEx facility and the FBO facility doing business as National Jets. The Virginia-Carolina Agreement expires on May 31, 2022. The Aircraft Fuel Farm Facility serves as the FBO's fuel farm.

On August 22, 2017 (Item 2), the Board approved an Agreement of Lease between Broward County and The Carolina Group, Inc. to lease a 1.4 acre parcel for a term of five years with a commencement date of November 18, 2017 and terminating on May 31, 2022. The agreement requires the Lessee to remove the Aircraft Fuel Farm Facility from the Premises upon expiration or termination.

The First Amendment gives the County, acting through the Director of Aviation, the ability to amend the Carolina Group, Inc. lease to allow the Aircraft Fuel Farm Facility to remain on the Premises. The Aircraft Fuel Farm Facility shall revert to the County for future tenant use.

The proposed First Amendment has been reviewed and approved as to form by the Office of County Attorney.

Source of Additional Information

Mark E. Gale, A.A.E., CEO/Director of Aviation, (954) 359-6199

Fiscal Impact

Fiscal Impact/Cost Summary

Annual rental for the 1.4 acre of land for the first year lease is \$45,738. Annual rent will be adjusted throughout the term of the Lease by the greater of 3% or the Consumer Price Index.