

RESOLUTION 08-_____

RESOLUTION OF INTENT, PURSUANT TO FLA. STAT. §849.0931 (2007), TO ALLOW BINGO GAMES TO BE CONDUCTED ON THE NORTH FLORIDA FAIRGROUNDS, IN ACCORDANCE WITH FAIRGROUNDS LEASE TO NORTH FLORIDA FAIR ASSOCIATION INC.

WHEREAS, the County owns the property known as the North Florida Fairgrounds located at the Southeast corner of South Monroe Street and Paul Russell Road (the "Fairgrounds Property"), which property is leased to the North Florida Fair Association, Inc. (the "Association") until December 31, 2067, pursuant to the certain lease agreement originally executed on November 2, 1959 and most recently modified on December 20, 1995 (the "Lease Agreement"); and

WHEREAS, it is recognized in the Lease Agreement that the Fairgrounds Property is highly desirable and in considerable demand for use for public assemblies and community meetings, and it is expressly understood in leasing the premises to the Association that the people of Leon County and the various religious, civic, fraternal and other community organizations shall not be deprived of the use of the premises on an equal and non-discriminatory basis without just cause therefor, and the association shall establish a fair and reasonable schedule of rates for subleasing said premises or parts or portions thereof, and that no religions, civic, fraternal or other community organization of Leon County will be denied use of the Fairgrounds Property at the prescribed rate without just cause; and

WHEREAS, a bingo operator has expressed interest in leasing a building located on the Fairgrounds Property for use in conducting bingo games; and

WHEREAS, pursuant to Florida Statutes §849.0931(11)(d) (2007), before bingo games may be conducted on a County-owned property, the governing authority of the County must adopt an ordinance or resolution that specifically authorizes the use of such property for the conduct of such games.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida (the "Board"), assembled in regular session this 8th day of July, 2008, as follows:

I. The County is the owner of the Fairgrounds Property and leases such property to the Association pursuant to the Lease Agreement.

2. Pursuant to the terms of the Lease Agreement, the Association may sublet portions of the Fairgrounds Property, with no religious, civic, fraternal, or other community organization of Leon County being denied the use of the Fairgrounds Property at the prescribed rate without the approval of the County.

3. In accordance with Florida Statutes §849.0931, the Board hereby specifically authorizes the use of the Fairgrounds Property for conducting bingo games; provided, however that such use shall be in accordance with the Lease Agreement.

4. To the extent this Resolution may conflict with any provisions of prior Board Resolutions regarding the use of the Fairgrounds Property, this Resolution shall supersede such conflicting provisions.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 8th day of July, 2008.

LEON COUNTY, FLORIDA

BY: _____
Jane Sauls, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.
County Attorney