



**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** May 7, 2013

**TITLE:** Resolution Declaring the City's Intent to Enter Into A Lease With Nova  
Southeastern University, Inc.

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**Recommendation**

It is recommended that the City Commission adopt a resolution declaring the City's intention to lease a parcel of land including the Southside Cultural Center to Nova Southeastern University, Inc. (NSU), a Florida non-profit corporation, and scheduling a public hearing on June 18, 2013 for consideration of the terms of the lease in accordance with Section 8.13 of the City Charter.

**Background**

The City owns the Southside Property (comprised of the Southside South Property and the Southside North Property), which includes the historic designated Southside School Building. The City acquired such property from the Broward County School Board via a warranty deed containing certain restrictions

For the purposes of funding, the City entered into an Interlocal Agreement with Broward County which provided funds to the City for the acquisition, improvement, enhancement, operation, and management of the Southside Property. Additionally, the City acquired the Southside South property with partial funding from the Florida Communities Trust (FCT).

The Interlocal Agreement with Broward County provides certain restrictions regarding the use of the Southside Property and requires the City provide at least 60 days prior written notice to Broward County before entering into any lease. Additionally, as part and condition of the FCT funding, the City is required to also provide at least 60 days prior written notice to FCT before entering into any lease. The purpose of the notices is to provide for the evaluation of the legal and tax consequences of such an agreement. The City will not enter into a lease agreement until it receives verification that the lease will be permitted under the restrictions. It is the intent of the City that the lease and all activities by NSU be consistent with the Interlocal Agreement, the FCT Grant Agreement and Management Plan, the restrictions on the property by the School Board of Broward County and all other applicable grant restrictions and covenants affecting the Leased Premises.

NSU is a Florida nonprofit corporation, engaged in operating an educational facility. NSU wishes to utilize the Leased Premises as an educational and cultural facility to serve the public with a variety of educational programs for the community. NSU's activities do serve a significant public purpose.

The proposed term of the Lease is thirty (30) years with two (2) ten (10) year renewal options.

Section 8.13 of the City Charter (Exhibit 2) permits this action.

**Resource Impact**

There is no fiscal impact associated with this action.

Attachment:

Exhibit 1 – Resolution

Exhibit 2 – Section 8.13 of the City Charter

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Prepared by: Frank Snedaker, AIA, Chief Architect  
Yugal K. Lall, P.E., Assistant City Engineer

Department Director: Hardeep Anand, P.E., Acting Public Works Director