

RESOLUTION NO. 23-213

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CULTURAL FACILITIES GRANT AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF STATE, DIVISION OF CULTURAL AFFAIRS AND THE CITY OF FORT LAUDERDALE, FLORIDA, FOR A TOTAL AMOUNT OF \$118,599.00 AND MATCHING FUNDS FROM THE CITY OF FORT LAUDERDALE, FOR THE JOSEPH CARTER COMMUNITY CENTER PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE AND RECORD A RESTRICTIVE COVENANT ON BEHALF OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY OR INCIDENTAL THERETO; AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS AND AN EFFECTIVE DATE.

WHEREAS, the Florida Department of State Division of Cultural Affairs ("FDOS") administers the Cultural Facilities Grant Program, which coordinates and guides the State of Florida's support and funding of renovation, construction, or acquisition of cultural facilities; and

WHEREAS, the City of Fort Lauderdale was awarded a Cultural Facilities Grant in the amount of One Hundred Eighteen Thousand Five Hundred Ninety-Nine Dollars and Zero Cents (\$118,599.00), with a 2:1 grant match obligation from the City in the amount of Two Hundred Thirty-Seven Thousand One Hundred Ninety-Eight Dollars and Zero Cents (\$237,198.00); and

WHEREAS, as a condition of the grant, the City must record a restrictive covenant, which shall run with the land. The restrictive covenant shall be recorded to ensure the subject facility will be used as a "cultural facility" for a minimum of ten (10) years following execution of the grant award agreement, and in accordance with the terms and conditions of the grant. A copy of said restrictive covenant is attached hereto and incorporated herein as "Exhibit A"; and

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

SECTION 1. That the City Manager or his designee is hereby authorized to execute a Cultural Facilities Grant between The Florida Department of State, Division of Cultural Affairs and the City of Fort Lauderdale, Florida, for an amount of One Hundred Eighteen Thousand Five Hundred Ninety-Nine Dollars and Zero Cents (\$118,599.00), with a 2:1 grant match obligation from the City

in the amount of Two Hundred Thirty-Seven Thousand One Hundred Ninety-Eight Dollars and Zero Cents (\$237,198.00).

**SECTION 2.** That the City Manager is authorized to execute and record a restrictive covenant, which shall run with the City's land, in substantially the form attached and identified by Exhibit A, to ensure the subject facility will be used as a "cultural facility" for a minimum of ten (10) years following execution of the grant award agreement, and in accordance with the terms and conditions of the grant.

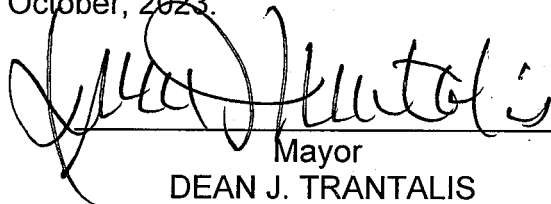
**SECTION 3.** That the Office of the City Attorney shall review and approve as to form all documents prior to their execution by the City Manager or their designee.

**SECTION 4.** 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 5.** That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed.

**SECTION 6.** That this Resolution shall be in full force and effect upon final adoption.

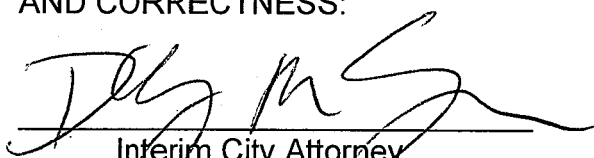
ADOPTED this 3<sup>rd</sup> day of October, 2023.

  
Mayor  
DEAN J. TRANTALIS

ATTEST:

  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM:  
AND CORRECTNESS:

  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis      Yea

John C. Herbst      Yea

Steven Glassman      Yea

Pamela Beasley-Pittman      Yea

Warren Sturman      Yea