



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

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

**DATE:** October 07, 2014

**TITLE:** Motion to execute Restrictive Covenant for Museum of Discovery and  
Science

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**RECOMMENDATION**

It is recommended that the City Commission approve a motion executing a Restrictive Covenant (Exhibit 1) for Museum of Discovery and Science providing for it to be maintained as a cultural facility in compliance with the State of Florida, Division of Cultural Affairs' Cultural Facilities Grant Program.

**BACKGROUND**

Museum of Discovery and Science, Inc. (MODS) has been approved to receive a Cultural Facilities Grant, in the amount of \$500,000, from the State of Florida, Department of State, Division of Cultural Affairs' (Division) Cultural Facilities Grant Program. The grant will assist in project funding for Museum Expansion and Renewal: Facility Renovation Phase I which will be administered by MODS. The Program requires the recordation of a Restrictive Covenant to ensure that the facility will be used as a "cultural facility" for at least ten (10) years following the execution of the grant award agreement. A cultural facility is defined as a building which shall be used primarily for the programming, production, presentation, exhibition or any combination of the above functions of any of the cultural disciplines, such as: music, dance, theatre, creative writing, literature, painting, sculpture, folks arts, photography, crafts, media arts, and historical and science museums.

As a condition to receipt of the grant funds, MODS shall record this Restrictive Covenant in the public records with the Clerk of the Circuit Court of Broward County, Florida; pay all fees associated with its recording; and provide a certified copy to the Division and to the City.

**Resource Impact**

There is no financial impact associated with this item.

**Strategic Connection:**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018 initiative*, included within the **Public Places Cylinder of Excellence**, specifically advancing:

- **Goal 3:** Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- **Objective 2:** Enhance the City's identity and appearance through well-maintained green space, parks, major corridors, gateways, and medians.

This item is in support of the *Fast Forward Fort Lauderdale Vision Plan 2035: WE ARE HERE.*

Attachment:

Exhibit 1 – Restrictive Covenant

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Prepared by: Stacey Daley, Administrative Assistant

Department Director: Phil Thornburg, Parks and Recreation