

RESOLUTION NO. 22-245

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A CITY OF FORT LAUDERDALE FY 2022 NOT FOR PROFIT GRANT PARTICIPATION AGREEMENT WITH DELTA EDUCATION AND LIFE DEVELOPMENT FOUNDATION, INCORPORATED, AUTHORIZING EXECUTION OF THE GRANT PARTICIPATION AGREEMENT, AND PROVIDING FOR A WAIVER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Participant is engaged in educational, charitable and community service through volunteerism, and operates a community facility ("the Delta House") at the Osswald Park in the City of Fort Lauderdale to host committee meetings, community events, as well as provide adolescent health and development programs, economic and social action initiatives, early childhood reading programs, and tutorial programs, among others; and

WHEREAS, the roof of the Delta House is in disrepair and needs to be replaced. Due to the current condition of the roof, Participant is forced to virtually operate many of the community programs and services; and

WHEREAS, the City of Fort Lauderdale, Florida ("City"), is the fee simple owner of the Delta House premises; and

WHEREAS, the City and Participant entered into a Lease Agreement dated June 16, 2009, with a term of fifty (50) years ("Lease"); and

WHEREAS, Section 4.3.1 of the Lease provides, in part, that Participant agrees to complete any interior and exterior renovations to the leased premises at its sole cost and expense; and

WHEREAS, due to budgetary shortfalls, Participant is unable to fund the roof replacement at this time; and

WHEREAS, Participant requests the City waives Participant's duty to renovate the Delta House under Section 4.3.1 of the Lease and, alternatively, for the City to fund the roof repairs at the full estimated amount of Ninety-Six Thousand Dollars and Zero Cents (\$96,000.00); and

WHEREAS, in light of Participant's charitable and educational activities through volunteerism, the City finds granting the Participant a one-time waiver of its obligation to renovate the Delta House under Section 4.3.1 of the Lease and funding the Delta House's roof replacement

up to the full estimated amount of Ninety-Six Thousand Dollars and Zero Cents (\$96,000.00) will prevent additional damage to the building, as well as serve a legitimate municipal and public purpose;

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

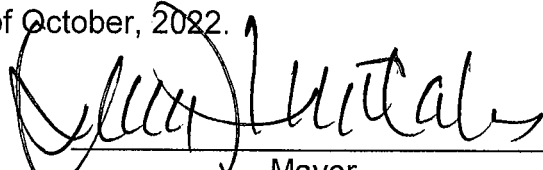
SECTION 1. The City Commission hereby grants Participant a one-time waiver of the Participant's obligation to complete interior and exterior renovations to the Delta House at the Participant's sole cost under Section 4.3.1 of the Lease Agreement dated June 16, 2009 and, alternatively, authorize the City Manager to allocate funds in the full estimated amount of Ninety-Six Thousand Dollars and Zero Cents (\$96,000.00) to fund a roof replacement for the Delta House.

SECTION 2. The City Commission hereby approves the City of Fort Lauderdale FY 2022 Not For Profit Grant Participation Agreement with Delta Education and Life Development Foundation, Incorporated, ("Grant Participation Agreement") in substantially the form attached to the City Commission Agenda Memo #22-0823, and authorizes the City Manager to execute the Grant Participation Agreement for the exclusive purpose of funding a roof replacement for the Delta House at an amount up to Ninety-Six Thousand Dollars and Zero Cents (\$96,000.00).

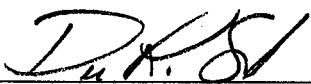
SECTION 3. That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this 18<sup>th</sup> day of October, 2022.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:

  
\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis      Yea  
Heather Moraitis      Yea

APPROVED AS TO FORM:



City Attorney  
ALAIN E. BOILEAU

Steven Glassman Yea

Robert L. McKinzie Not Present

Ben Sorensen Yea