

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF THE THIRD AMENDMENT TO THE OPERATIONS AGREEMENT RELATING TO THE ARTS AND SCIENCE DISTRICT PARKING FACILITY, BETWEEN THE CITY OF FORT LAUDERDALE, THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF FORT LAUDERDALE, THE DISCOVERY CENTER, INC. AND THE PERFORMING ARTS CENTER AUTHORITY, TO CHANGE THE OPERATING AGENT FROM THE CITY OF FORT LAUDERDALE, TO THE PERFORMING ARTS CENTER AUTHORITY; DELEGATING AUTHORITY TO THE CITY MANAGER TO MANAGE THE COORDINATION OF THE TRANSITION OF DUTIES AND RESPONSIBILITIES, ON BEHALF OF THE CITY OF FORT LAUDERDALE, PURSUANT TO THE TRANSITION SCHEDULE AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSITION OF DUTIES AND RESPONSIBILITIES ON BEHALF OF THE CITY OF THE FORT LAUDERDALE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale ("City"), the Downtown Development Authority of the City of Fort Lauderdale, ("DDA"), the Discovery Center, Inc. ("DC"), and the Performing Arts Center Authority ("PACA") entered into an Operations Agreement for the Arts and Science District Parking Facility ("Operations Agreement") on or about November 16, 1989, providing for the operations and maintenance of the approximately 956-space parking facility known as the Arts and Science District Parking Facility (the "Garage"); and

WHEREAS, the City is the Operating Agent, pursuant to the Operations Agreement; and

WHEREAS pursuant to the Operations Agreement, the DDA, PACA and the City are solely responsible for revenues and expenses; and

WHEREAS, in 1991, the City, DDA, DC and PACA entered into an amended Operations Agreement, to amend certain escrow and construction provisions of the Operations Agreement, pursuant to an Amendment to the Escrow Agreement; and

WHEREAS, the City, DDA, DC and PACA entered into a Second Amendment to the Operations Agreement Relating to the Arts and Science District Parking Facility, effective,

October 2002, to clarify the division of expenses pursuant to the Operations Agreement, as amended; and

WHEREAS, the City, DDA, DC and PACA wish to enter into a Third Amendment to the Operations Agreement to change the Operating Agent from the City to PACA and to implement a Transition Schedule between the City and PACA, to accomplish a transfer of duties and responsibilities; and

WHEREAS, City wishes to delegate authority to the City Manager to manage the coordination of the City's duties and responsibilities, pursuant to the Transition Schedule; and

WHEREAS, amending the Operations Agreement to change the Operating Agent from the City to PACA is in the best interest of the City.

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

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by this reference.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes execution of the Third Amendment to the Operations Agreement Relating to the Arts and Science District Parking Facility, between the City of Fort Lauderdale, the Downtown Development Authority of the City of Fort Lauderdale, the Discovery Center, Inc. and the Performing Arts Center Authority, to change the Operating Agent from the City of Fort Lauderdale to the Performing Arts Center Authority.

SECTION 3. That the City Manager of the City of Fort Lauderdale, Florida, is hereby delegated the authority to manage the coordination of the transition of duties and responsibilities, on behalf of the City of Fort Lauderdale, pursuant to the Transition Schedule and execute any and all documents necessary to effectuate the transition of duties and responsibilities on behalf of the City of Fort Lauderdale.

SECTION 4. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by the City Manager.

SECTION 5. That the Effective Date of this Resolution is the date of adoption.

ADOPTED this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
SHARI L. MCCARTNEY

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Ben Sorensen _____