



BERTHA W. HENRY, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

June 4, 2015

Mr. Lee R. Feldman, ICMA-CM
City Manager
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, Florida 33301

Re: South Side School (North)

Dear Mr. Feldman,

In response to the Notice of Intent, dated March 23, 2015, Broward County understands that the City of Fort Lauderdale (City) seeks to lease a portion of the Bond acquired South Side School to the Friends of South Side, Inc., a Florida non-profit corporation, for use as a "cultural, educational and wellness center." In addition, it has recently come to the County's attention that the City seeks to use the second floor of the South Side School building (School) as office space for the City's Parks and Recreation Department.

Broward County's bond counsel has conducted an initial review and analysis of the City's proposed uses of the School and has preliminarily determined that the use of the second floor of the School as an office area for the City's Parks and Recreation Department is not a permissible use under Broward County's Park Bond Resolutions.

As to the proposed use of the School as a "cultural, educational and wellness center" (Center), additional information regarding the nature of the Center and how it will further a park function is needed for bond counsel to make a determination as to whether such use falls within the scope of the Park Bond Resolutions. Specific additional information from the City was requested in the County's letter dated April 6, 2015 (attached), but such information has not been provided to date. Without the requested additional information, including confirmation of the 501(c)(3) status of Friends of South Side, Inc., a sufficient connection between the proposed Center and the stated purposes of the Park Bond Resolutions cannot be established.

We are pleased to further evaluate this option once this additional information is provided.

Sincerely,

A blue ink signature of Bertha Henry.

Bertha Henry
County Administrator

Attachment

cc: Joni Armstrong Coffey, County Attorney
Dr. Jennifer Jurado, Environmental Planning and Community Resilience Division
Tom Giblin, Bond Counsel

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Environmental Protection and Growth Management Department

ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION

115 S. Andrews Avenue, Room 329H • Fort Lauderdale, Florida 33301 • 954-519-1270 • FAX 954-519-1496

April 6, 2015

Mr. Lee R. Feldman, ICMA-CM
City Manager
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, Florida 33301

Dear Mr. Feldman,

Broward County is in receipt of your "Notice of Intent" dated March 23, 2015 and the City's Resolution (approved March 17, 2015) pertaining to the proposed lease of South Side North School to Friends of South Side, Inc., a Florida non-profit corporation for the use of the leased premises as a "cultural, educational and wellness center."

While this Notice is being provided under Article 5 of the Interlocal Agreement between Broward County and the City of Fort Lauderdale pertaining to the South Side property, please note that in accordance with Article 5.2 of this Agreement and the Final Management Plan for the school site (approved February 17, 2005) that additional information is needed to review and evaluate the City's request. The additional information required is as follows:

- 1) The proposed lease agreement between the City and Friends of South Side, Inc.
- 2) The proposed Management and Operating Agreement between the City and Friends of South Side, Inc. (referenced in your letter)
- 3) Charter for Friends of South Side School, Inc. (referenced in the City's Resolution)

These documents are necessary under the requirements of the Final Management Plan and Section 5.2 of the Interlocal Agreement, which provide that any proposed lease or management/operating agreement must, before execution, be submitted to the County for review and approval, including a determination that no negative legal or tax consequences under Florida or federal law will result from the proposed transactions.

In accordance with Section 5.2 we are also requesting at least the sixty days written notice prior to approval and execution of a lease, assuming it is deemed permissible under the

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provisions of the Safe Parks and Land Preservation Bond Program and the opinion of qualified Bond and Tax Counsel. Currently notice has been provided as indicated in paragraph one.

In addition, per Section 3 of the approved management plan, Easements, Concessions, and Leases, it states that all fees will be placed in a segregated account and go to the upkeep and maintenance of the project site. Please provide acknowledgement of intent to comply with provisions of Section 3 as it pertains to the lease of South Side School.

Once we receive the requested information, we will obtain an opinion from Bond and Tax Counsel regarding whether the proposed lease and management/operating agreement with FSS, a non-governmental entity, will have any negative bond or tax consequences, including any impact on the tax-exempt status of the bonds.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer L. Jurado".

Jennifer L. Jurado, Ph.D.
Director, Environmental Planning and Community Resilience Division

cc: Bertha Henry, County Administrator
Joni Coffey, County Attorney