

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONCERT SERIES AGREEMENT WITH THE RHYTHM FOUNDATION, INC. TO PROVIDE PRODUCER SERVICES FOR A SERIES OF THREE CONCERTS AT ARTSPARK IN AN ANNUAL AMOUNT NOT TO EXCEED \$150,000.00 IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE (BEST INTEREST).

WHEREAS, the Community Redevelopment Agency (“CRA”) is no longer able to facilitate special events; and

WHEREAS, the Department of Parks, Recreation and Cultural Arts (“PRCA”) requires an agreement for a qualified concert/special event producer or qualified group or professional producer to coordinate three concerts in the Series between March and May, 2023, to be held in the ArtsPark at Young Circle; and

WHEREAS, PRCA’s goal is to continue to promote and execute all aspects of the Series each fiscal year (October through September); and

WHEREAS, Section 38.41(C)(9) of the Procurement Code states that when the City Commission declares by a 5/7ths affirmative vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from competitive bidding and competitive proposal requirements; and

WHEREAS, the Director of the Department of Parks, Recreation and Cultural Arts and Chief Procurement Officer recommend that the City Commission approve and authorize the negotiation and execution of the Agreement with Rhythm Foundation, Inc. to provide services in an annual amount not to exceed \$150,000.00; and

WHEREAS, funding in an amount not to exceed \$150,000.00 will be made available in Account Number 001.300601.57200.549110.000000.000.000, subject to approval of a companion budget amendment resolution; and

WHEREAS, the agreement is subject to the PRCA receiving all insurance documentation and endorsements required and approved by the City’s Risk Manager, along with signed statements of Hold Harmless and Indemnity in favor of the City.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the negotiation and execution, by the appropriate City officials, of a Concert Series Agreement embodying the terms and conditions approved by the City Commission this date with Rhythm Foundation, Inc. in a form acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance  
of the City of Hollywood, Florida, only.

\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY