

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE HOLLYWOOD ART AND CULTURE CENTER, INC., FOR THE PURPOSE OF COORDINATING AND MANAGING CULTURAL ARTS PROGRAMMING SERVICES AT HOLLYWOOD CENTRAL PERFORMING ARTS CENTER IN THE AMOUNT OF \$70,000.00; IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE (BEST INTEREST).

WHEREAS, the Hollywood Art and Culture Center, Inc. ("HACC") currently plans and coordinates performing arts programs at the Hollywood Central Performing Arts Center ("HCPAC"); and

WHEREAS, the HACC is the only non-profit cultural institution in south Broward and one of only 14 art and culture facilities approved to work with Broward County Schools; and

WHEREAS, through fundraising events, the HACC raises over one million dollars annually for the programming and operation of the HACC and the HCPAC; and

WHEREAS, the HACC has been serving the Hollywood community and partnering with the City on many art and cultural programming events; and

WHEREAS, on January 8, 1992, the City Commission passed and adopted Resolution No. R-1992-06, which authorized the City to enter into a Business Lease with the HACC for a 49 year period for the use of the City-owned property; and

WHEREAS, on November 17, 2021, the City passed and adopted Resolution No. R-2021-297, which authorized the City and HACC to enter into a one-year agreement to plan and coordinate performing arts programs at the HCPAC in the amount of \$70,000.00; and

WHEREAS, these factual findings support the City's determination that competitive bidding and competitive proposals are not in the best interest of the City; and

WHEREAS, Section 38.41(C)(9) of the City's Procurement Code allows the competitive bidding process to be waived when the City Commission declares by a 5/7ths affirmative vote that the competitive bidding process is not in the best interest of the City; and

WHEREAS, the Director of Parks, Recreation and Cultural Arts recommends that the City Commission approve an agreement with HACC to continue with the performing arts programs at the HCPAC; and

WHEREAS, funding for this agreement is available in FY 2023 operating budget in account number 001.300601.57200.531170.000000.000.000.

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 appropriate City officials to execute an agreement with the Hollywood Art and Culture Center, Inc., together with such non-material changes as may be subsequently agreed to by 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