

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FIFTH AMENDMENT TO THE LEASE OF REAL PROPERTY BETWEEN THE CITY OF HOLLYWOOD AND BROWARD COUNTY FOR THE CONTINUED LOCATION OF A READING CENTER AT THE HOLLYWOOD BEACH CULTURE AND COMMUNITY CENTER, AND EXTENDING THE LEASE FOR THE TERM FROM JULY 1, 2018 TO JUNE 30, 2019, WITH AUTOMATIC RENEWALS THEREAFTER UNLESS WRITTEN NOTICE TO TERMINATE BY EITHER PARTY IS MADE 180 DAYS BEFORE EXPIRATION OF THE CURRENT TERM.

WHEREAS, on March 18, 1992, the City and Broward County executed an Interlocal Agreement, attached as Exhibit "A" and as subsequently amended, to provide public library services in the form of a "Reading Center" for residents of Broward County, and in particular, residents in and around the Beach Community Center area of Hollywood; and

WHEREAS, on August 17, 1993, the City, as Landlord, and Broward County, as Tenant, executed a Lease of Real Property ("Lease"), attached as Exhibit "B", for 2,500 square feet in the Hollywood Beach Culture and Community Center located at 1301 S. Ocean Drive, for an initial term of five years; and

WHEREAS, Section 15 of the Lease sets forth that the Tenant may request an extension of the Lease and such extension shall be upon the same terms, covenants and conditions, except that the rent for each successive term shall be negotiated; and

WHEREAS, in 1998, the Lease was amended to extend the term from 1998 to 2003; and

WHEREAS, in 2003, the Lease was amended to extend the term from 2003 to 2008; and

WHEREAS, a Third Amendment to the Lease extended the term from July 1, 2008 through June 30, 2013; and

WHEREAS, a Fourth Amendment to the Lease extended the term from July 1, 2013 through June 30, 2018, and the Tenant has now requested that the Lease be extended for a fifth renewal term; and

WHEREAS, the Landlord and Tenant desire to amend the Lease in order to extend the term, provide for annual renewals, and give the parties a mutual right to terminate the

Lease; and

WHEREAS, the term of the Lease, which currently runs through June 30, 2018, shall be extended for a one year period, from July 1, 2018 through June 30, 2019; and

WHEREAS, the term of the Lease shall automatically renew on July 1, 2019, and every year thereafter, upon the same terms and conditions of the Lease ("Extended Term"); and

WHEREAS, before an Extended Term commences, either party may deliver written notice to the other party electing to end Lease upon the expiration of the then-current term ("Notice of Termination"); and

WHEREAS, the Notice of Termination shall be delivered at least 180 calendar days before the expiration of the then-current term.

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 execution, by the appropriate City officials, of the attached 2018 Fifth Amendment to Lease of Real Property (Exhibit "1"), together with such non-material changes as may be 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 effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

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