**RESOLUTION NO. 2014-123**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING A PROVISION OF THE TIGERTAIL LAKE LEASE AND LICENSE AGREEMENT EXISTING BETWEEN THE CITY OF DANIA BEACH, FLORIDA AND BROWARD COLLEGE PERTAINING TO FISHING IN THE LAKE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** the City of Dania Beach, Florida and Broward Community College (“BCC”) entered into a Lease and License Agreement in connection with Tigertail Lake on June 28, 2000; and

**WHEREAS,** a First Amendment pertaining to the provision of water services to the new facility to be then constructed by BCC on the leased premises was executed on March 28, 2002; and

**WHEREAS,** a Second Amendment pertaining to the provision of sanitary sewer service, other underground facilities as needed by BCC, Florida Power & Light Company, and other providers in connection with the facilities authorized to be constructed by BCC was executed on June 25, 2002; and

**WHEREAS,** the City and BCC (now known as “Broward College”) wish to further amend the Agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:**

**Section 1.** That the above “Whereas” clauses are ratified, made a part of and are incorporated into this Resolution by this reference.

**Section 2.** That the City Commission approves a Third Amendment to the Tigertail Lake Lease and License Agreement (a copy is attached as Exhibit “A”, and it is made a part of and is incorporated into this Resolution by this reference) existing between the City of Dania Beach, Florida and Broward College, to delete the following language:

“Fishing will be allowed but only from the banks of the Lake” (from paragraph 25(f) of the Lease).

**Section 3.** That the proper City officials are authorized to execute the Third Amendment to the Agreement.

**Section 4.** That the City Manager and City Attorney are authorized to make any revisions to the Third Amendment as are deemed necessary and proper in the best interests of the City.

**Section 5.** That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

**Section 6.** That this Resolution shall be in force and take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED** on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2014.

ATTEST:

LOUISE STILSON, CMC MARCO A. SALVINO, SR.

CITY CLERK MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO

CITY ATTORNEY