



# Broward County

## Legislation Text

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File #: 20-2216, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Bertha Henry

**Department:** County Administration

### **Information**

#### **Requested Action**

**MOTION TO APPROVE** Separation Agreement and Mutual Release between Broward County and Young At Art of Broward, Inc. and authorize the Mayor and Clerk to execute same.

#### **Why Action is Necessary**

Agreements with external agencies require approval by the Broward County Board of County Commissioners (Board).

#### **What Action Accomplishes**

Approves the Separation Agreement and Mutual Release (Separation Agreement) which, among other things, requires that YAA vacate and turnover possession of Broward County's (County) property located at 751 SW 121<sup>st</sup> Avenue, Davie, FL 33325."

#### **Is this Action Goal Related**

No

#### **Previous Action Taken**

June 12, 2018 Regular Meeting (Item No. 103), September 22, 2020 Regular Meeting (Item No. 55).

#### **Summary Explanation/Background**

The YAA Children's Museum, Broward County Library and common areas is a 56,000 square-foot joint-use facility (Premises) in Davie, Florida.

The County and YAA (Parties) entered into a lease agreement on July 1, 2018 in connection with YAA's occupancy and use of a portion of the Premises. YAA was unable to fulfill its lease commitments and County staff began discussions with YAA about the terms of a potential separation agreement. At the September 22, 2020 Regular Meeting (Item No. 55), the Board approved the proposed terms of a separation agreement and authorized the County Administrator and County Attorney to negotiate final terms of a separation agreement. The Parties have agreed upon (subject to approval by the Board) a Separation Agreement (Exhibit 1) containing, among other things, the following terms:

- YAA will vacate the Premises and the lease shall terminate 60 days after agreement execution;

- YAA has provided a list of items it is required to remove and others it may remove- anything left behind is deemed abandoned and will be disposed of;
- YAA is conditionally released from all debts due to County (~\$960,000), but if they do not vacate and turnover the Premises within the required 60-day timeframe (which can only be extended under limited circumstances), they remain responsible for all monies owed to the County;
- County will release \$74,500 of grant funding awarded to YAA; \$32,000 will be paid up front to offset demobilization costs and the remaining \$42,500 will be paid if YAA removes the required identified property and vacates, within the 60-day period, to offset moving costs.

**Source of Additional Information**

Alan Cohen, Assistant County Administrator, 954-357-7364

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Grant funds to be released to YAA are included in the current Fiscal Year budget.