

REPAYMENT AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF MIAMI GARDENS

This Repayment Agreement (“Repayment Agreement”) is made and entered by and between Broward County, a political subdivision of the State of Florida (“County”), and the City of Miami Gardens, Florida, a municipal corporation (“Miami Gardens”) (collectively referred to as the “Parties”).

A. County and Roane Consulting Group, LLC (acting on behalf of Miami Gardens), entered into a Group/Convention, Tourism Event, or Place of Interest Sponsorship Agreement (“Sponsorship Agreement”) regarding the event being hosted by Miami Gardens in 2020 known as “Jazz in the Gardens” (“Event”).

B. As part of the Sponsorship Agreement, County paid the sum of Seventy-five Thousand Dollars (\$75,000) to sponsor the Event, which Event was subsequently canceled due to the COVID-19 Public Health Emergency.

C. County and Miami Gardens have made an agreement regarding a partial refund of the funding paid by County to sponsor the Event, and desire to set forth the terms of such resolution.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Repayment. Within thirty (30) calendar days after full execution of this Repayment Agreement, Miami Gardens shall pay to County the sum of Thirty-seven Thousand Five Hundred Dollars (\$37,500), as full and final repayment of any amounts due to County in connection with the Sponsorship Agreement for the canceled Event.

2. Termination of Sponsorship Agreement. The Parties acknowledge and agree that the Sponsorship Agreement is hereby terminated and, except for those obligations therein that survive its termination or expiration and obligations stated herein, neither County nor Miami Gardens (nor its agent, Roane Consulting Group, LLC) shall owe any further duties or obligations to each other in connection with the Sponsorship Agreement.

3. Final and Complete Agreement. This Repayment Agreement represents the final and complete understanding of the Parties regarding the subject matter hereof and supersedes all prior and contemporaneous negotiations and discussions regarding that subject matter. There is no commitment, agreement, or understanding concerning the subject matter of this Repayment Agreement that is not contained in this written document.

4. Joint Preparation. Preparation of this Repayment Agreement has been a joint effort of Miami Gardens and County and shall not be construed more strictly against either party.

5. Authority. Each individual executing this Repayment Agreement hereby represents and warrants that he or she is, on the date he or she signs this Repayment Agreement, duly authorized by all necessary and appropriate action to execute this Repayment Agreement on behalf of the applicable party and does so with full legal authority.

6. Survival of Terms. In the event the Repayment Agreement, or a portion thereof, is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective.

7. Counterparts; Digital/Electronic Signature. This Repayment Agreement may be executed in counterparts, which together shall constitute one and the same agreement. Either party may execute this Repayment utilizing digital or electronic signatures.

(The remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the Parties hereto have made and executed this Repayment Agreement: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ____ day of _____, 2021, and the City of Miami Gardens, Florida, signing by and through its City Manager or designee, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor

____ day of _____, 2021

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
Nathaniel A. Klitsberg (Date)
Senior Assistant County Attorney

NAK/vu
2021-05-23 Jazz Repayment Agreement.docx
05/27/2021
#539233v6

**REPAYMENT AGREEMENT BETWEEN
BROWARD COUNTY AND THE CITY OF MIAMI GARDENS**

CITY OF MIAMI GARDENS

WITNESSES:

CITY OF MIAMI GARDENS

Signature

By: _____
Authorized Signor

Print Name of Witness above

Print Name and Title

Signature

_____ day of _____, 2021

Print Name of Witness above

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

City Attorney

Print Name: _____