



# Broward County

## Legislation Text

File #: 20-2216, Version: 1

### **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.