



Broward County

Legislation Details (With Text)

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|-----------------------|--|----------------------|---|----------------|--------------|
| File #: | 20-157 | Version: | 1 | Status: | Agenda Ready |
| | | In control: | County Administration - Parks And Recreation Division | | |
| On agenda: | 1/28/2020 | Final action: | 1/28/2020 | | |
| Title: | MOTION TO APPROVE License and Concession Agreement (Agreement) between Broward County and Butterfly World, Ltd. (Licensee), by and through its Managing Partner, Meta-Science, Inc., for the operation and maintenance of the Butterfly Farm, Botanical Garden, Insectarium, and Aviary at Tradewinds Park; and authorize Mayor and Clerk to execute same. (Commission District 2) | | | | |
| Sponsors: | | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. Exhibit 1 - Agreement Summary, 2. Exhibit 2 - Agreement, 3. Additional Material - Information, 4. Additional Material - Information | | | | |
| Date | Ver. | Action By | Action | Result | |

Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Parks & Recreation

Information

Requested Action

MOTION TO APPROVE License and Concession Agreement (Agreement) between Broward County and Butterfly World, Ltd. (Licensee), by and through its Managing Partner, Meta-Science, Inc., for the operation and maintenance of the Butterfly Farm, Botanical Garden, Insectarium, and Aviary at Tradewinds Park; and authorize Mayor and Clerk to execute same. **(Commission District 2)**

Why Action is Necessary

Board of County Commissioners' approval is required for agreements.

What Action Accomplishes

Provides for the operation and maintenance of the amenity, facility, and attraction known as Butterfly World, located within Tradewinds Park.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

CONSISTENT WITH THE BOARD'S DIRECTION, THE PARKS AND RECREATION DIVISION SUBMITS THE ABOVE ACTION AS REQUESTED.

For over 30 years, the Parks and Recreation Division has hosted the amenity, facility, and attraction known as Butterfly World, which includes the Butterfly Farm, Botanical Garden, Insectarium, and Aviary, located within Tradewinds Park. Butterfly World was constructed, and has been operated and maintained, by the Licensee, providing fee-based educational and indoor and outdoor leisure activities.

A Sole Source designation memorandum, dated August 17, 2016, was issued by the Broward County Purchasing Director, authorizing the Parks and Recreation Division to negotiate the Agreement with the Licensee, consistent with the Board's direction and recommendation.

The term of the Agreement is ten years and includes provisions for one five-year extension at the Licensee's option upon certification that Licensee is not in default. The Licensee agrees to make a minimum of \$100,000 in concession-related capital improvements on the licensed premises each year of the Agreement and expend a minimum of \$500,000 on further capital improvements during the five-year renewal term, if exercised. The Licensee will pay all taxes, licenses, and other costs lawfully assessed against its business and legal interest in the operation of Butterfly World and will pay all utilities and cost to maintain all its improvements, fixtures, equipment, connections, landscaping, and operations.

The Agreement has been reviewed as to form by the Office of the County Attorney. Insurance provisions were negotiated and approved by Broward County's Risk Management Division.

Source of Additional Information

Dan West, Director of Parks & Recreation, (954) 357-8106

Fiscal Impact

Fiscal Impact/Cost Summary

The Agreement provides for an Annual Guarantee of \$60,000 in revenue for the first Contract Year, to be paid by the Licensee to the County in four equal quarterly installments. The Annual Guarantee shall then be adjusted based on an increase in the Consumer Price Index, All Urban Consumers, Miami-Fort Lauderdale, or three percent of the prior year's Annual Guarantee, whichever is greater.

The Agreement also provides for revenue from Licensee's payment of a \$6,000 fee each Contract Year to offset lost revenue and cost to County arising from unscheduled use of the Tradewinds Park Buckeye and Crescent shelters by the Licensee's guests, invitees, patrons, and subcontractors.