



City Attorney's Communication #2019-300

December 26, 2018

TO: Cassandra LeMasurier, Real Property Manager

FROM: Mark E. Berman, City Attorney

RE: Resolution – Consent to Revocable License Agreement
Annie L. Weaver Health Center

As requested in your memorandum of December 20, 2018, Finance Memorandum No. 19-012, the above-referenced Agreement has been prepared and is attached at this time along with the appropriate Resolution captioned as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSENT FOR BROWARD COUNTY TO PROVIDE A REVOCABLE LICENSE TO EARLY LEARNING COALITION OF BROWARD COUNTY, INC. FOR CERTAIN PROPERTY LEASED BY CITY TO BROWARD COUNTY FOR USE BY ANNIE L. WEAVER HEALTH CENTER AND FAMILY SUCCESS CENTER; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance



MARK E. BERMAN

/jrm
l:cor/finance/rpm/2019-300

Attachments

RESOLUTION NO. 2019- _____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSENT FOR BROWARD COUNTY TO PROVIDE A REVOCABLE LICENSE TO EARLY LEARNING COALITION OF BROWARD COUNTY, INC. FOR CERTAIN PROPERTY LEASED BY CITY TO BROWARD COUNTY FOR USE BY ANNIE L. WEAVER HEALTH CENTER AND FAMILY SUCCESS CENTER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has entered into a ten (10) year lease agreement with Broward County for the property located at 2011 NW 3rd Avenue for the purpose of operating a county government multipurpose and social and health services delivery center known as the Annie L. Weaver Health Center and Family Success Center; and

WHEREAS, the City Manager's Office received a request from Broward County to consent to the execution of a Revocable License Agreement between Broward County and Early Learning Coalition of Broward County, Inc. for use of the leased premises, a copy of the License Agreement is attached hereto; and

WHEREAS, the lease between Broward County and the City requires for the City to give consent to any sublease by Broward County; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the Consent of City of Pompano Beach for Broward County to provide a license to Early Learning Coalition of Broward County, Inc. to utilize certain property

leased by City to Broward County for use by Annie L. Weaver Health Center and Family Success Center, a copy of the said Consent of City of Pompano Beach is attached hereto and incorporated by reference as if set forth in full is hereby approved and ratified.

SECTION 2. That the proper City officials are hereby authorized to execute said Consent to Revocable License Agreement.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
12/26/18
l:reso/2019-62

CONSENT OF CITY OF POMPANO BEACH
TO REVOCABLE LICENSE AGREEMENT

WHEREAS, the CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, hereinafter referred to as "CITY," entered into an Amended and Restated Lease Agreement with BROWARD COUNTY, a political subdivision of the State of Florida, dated May 31, 2013, for certain property at the Annie L. Weaver Health Center and Family Success Center; and

WHEREAS, BROWARD COUNTY desires to assign part of its interest in the said Lease to EARLY LEARNING COALITION OF BROWARD COUNTY, a Florida Not For Profit Corporation, by written Revocable License Agreement; and

WHEREAS, CITY is agreeable to the License granted upon these terms; now, therefore,

1. CITY, by this agreement, consents to the Revocable License Agreement granting a License to utilize the premises only for the purposes provided in said Agreement between BROWARD COUNTY and EARLY LEARNING COALITION OF BROWARD COUNTY, INC., a copy of which Revocable License is attached and made a part of this agreement as Exhibit "A," subject to the following terms and conditions:

A. This consent by CITY shall not act to bind CITY to perform any of the obligations of BROWARD COUNTY as may be provided in the License.

B. EARLY LEARNING COALITION OF BROWARD COUNTY, INC. agrees to comply with all terms and conditions in the CITY's Lease Agreement with BROWARD COUNTY.

C. This consent shall not be changed orally but only by an agreement in writing signed by CITY.

DATED this _____ day of _____, 2019.

Witnesses:

CITY OF POMPANO BEACH

By: _____
REX HARDIN, MAYOR

By: _____
GREGORY P. HARRISON, CITY MANAGER

Attest:

ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved by:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by **REX HARDIN** as Mayor, **GREGORY P. HARRISON** as City Manager, and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

/jrm
12/26/18
l:agr/manager/2019-299