

**ADDITIONAL MATERIAL
10:00 A.M. REGULAR MEETING**

JANUARY 9, 2018

**SUBMITTED AT THE REQUEST OF
OFFICE OF THE COUNTY ATTORNEY**



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MEMORANDUM

TO: Board of County Commissioners

FROM: Sharon V. Thorsen, Senior Assistant County Attorney

DATE: January 9, 2018

RE: **January 9, 2018, Agenda Item No. 41 (Outdoor Event Agreement Between Broward County and the City of Fort Lauderdale for the Chalk-Lit Art Festival)**

The Office of the County Attorney has not yet received an executed copy of the above referenced agreement. However, this Office has received assurances from the City of Fort Lauderdale that the document distributed as additional material in the Monday Night Memo of January 8, 2018 is awaiting the City Manager's signature as authorized by the City Commission at its January 3, 2018, meeting.

In addition, this Office wishes to disclose two uncommon terms that are included in the agreement for the Board's consideration as business decisions. Subsection 7(2) states that the County "guarantees that individuals with disabilities will be able to attend, enter, and use all the facilities at the Event." This language differs from applicable provisions of the Americans with Disabilities Act, which generally require the provision of "reasonable accommodations" for persons with disabilities. In addition, Section 6 gives the Fort Lauderdale City Manager the authority to suspend the event if he determines the Event poses a public health, safety or welfare threat, or if the County fails to comply with the terms of the agreement.

SVT/SA