



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-1107

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: November 19, 2024

TITLE: Motion Approving and Authorizing the Execution of an Amendment to the Lease Agreement with the Florida Department of Transportation for Right-of-Way Land Above the Henry E. Kinney Tunnel - (**Commission District 4**)

Recommendation

Staff recommends the City Commission consider a motion approving and authorizing the execution of an amendment to the Lease Agreement between the Florida Department of Transportation (FDOT) and the City for the right-of-way land (leased area) above the Henry E. Kinney Tunnel for the newly constructed Henry E. Kinney Tunnel Top Pedestrian Plaza (Tunnel Top Park), in substantially the form attached.

Background

On January 12, 1999, FDOT and the City entered into a twenty (20) year lease agreement for the purpose of establishing a linear park above the Henry E. Kinney Tunnel. The Leased Area included the Laura Ward Riverwalk Plaza and a portion of SE 6th Avenue. Since that time, the lease agreement has been extended for an additional forty (40) year term, with an option to extend for another forty (40) year term and amended to integrate the Tunnel Top Park as part of the FDOT's Henry E. Kinney Tunnel rehabilitation project.

Given completion of the Henry E. Kinney Tunnel Top Park, the FDOT and the City must amend the lease agreement to include the new constructed area and to reduce the footprint of the leased premises.

At the October 15, 2024 meeting, the City Commission approved an amendment to the agreement. The amendment that was approved by the City Commission did not include the language that reduced the footprint of the leased area by 1,500 feet and therefore was never fully executed. City staff recommends the City Commission approve this proposed amendment which will resolve the remaining issues.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Public Places Focus Area, Goal 5: Build a beautiful and welcoming community

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We are Here

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation, & Open Spaces Element
- Goal1: Be a community where persons of all ages are able to partake in a fun and healthy lifestyle

Attachments

Exhibit 1 – 1999 Public Purpose Lease Agreement

Exhibit 2 – 2002 Amendment to Lease Agreement

Exhibit 3 – 2002 Addendum

Exhibit 4 – 2021 Amendment to Public Purpose Lease Agreement

Exhibit 5 – Amendment of Lease

Exhibit 6 – Leased Area

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