



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#15-0642

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: June 16, 2015

TITLE: Motion Approving a Revocable License Agreement between Broward County, City of Fort Lauderdale and GDC Broward RB, LLC for Right Of Way Improvements and an Agreement Ancillary to the Revocable License Agreement

Recommendation

It is recommended that the City Commission authorize the City Manager to execute two agreements: 1) a Revocable License Agreement between Broward County, City of Fort Lauderdale (City) and GDC Broward RB, LLC, ("Developer") for installation of landscaping, pavers, and irrigation improvements in the County right-of-way (ROW) and 2) an Agreement Ancillary to Revocable License Agreement.

Background

The City is requiring GDC Broward RB, LLC (GDC) to install streetscape improvements adjacent to the Riverbend Marketplace development. These improvements include landscaping, pavers, and irrigation, and lie within the County ROW on the east side of Southwest 27th Avenue (Riverland Road) from Broward Boulevard south to Southwest 3rd Street.

An agreement is required for private developments to implement streetscape improvements which follow the City's Vision Plan and further the City's Complete Streets program. In order to implement Complete Street design features on a County roadway, the City is required to enter into a Revocable License Agreement with the County to ensure maintenance of the ROW improvements associated with the development.

The Revocable License Agreement calls for the City to act as the functional equivalent of a guarantor of the Developer's obligations under that instrument. In order to establish a means of recourse against the Developer, the City Attorney's Office recommends that the Agreement Ancillary to Revocable License Agreement be executed as a condition precedent to execution of the Revocable License Agreement. The Ancillary Agreement provides conditions, procedures, and additional penalties for recourse against the

Developer, that are otherwise not provided for in the underlying Revocable License Agreement between the County and City.

Resource Impact:

There is no fiscal impact to the City.

Strategic Connections:

This item is a *Press Play Fort Lauderdale Strategic Plan* initiative, included within the Business Development Cylinder of Excellence, specifically advancing:

- Goal 1: Be a pedestrian friendly, multi-modal city.
- Objective 1: Integrate transportation land use and planning to create a walkable and bikeable community.
- Initiative 8: Adopt Complete Streets guidelines.

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

Attachments:

Exhibit 1 – County/City/Developer Revocable License Agreement

Exhibit 2 – Agreement Ancillary to Revocable License Agreement

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Department Director: Jenni Morejon, Sustainable Development