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**TO:** Honorable Mayor & Members  
Fort Lauderdale City Commission

**FROM:** Lee R. Feldman, City Manager

**DATE:** November 19, 2013

**TITLE:** Motion to Approve Agreement with Apex Marine, LLC for a term of  
December 1, 2013 through November 30, 2014

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**Recommendation**

It is recommended that the City Commission approve a Dock Use agreement with Apex Marine, LLC (Apex) to continue operating the existing boat service and repair facility at 401 SW 1<sup>st</sup> Avenue for the period of December 1, 2013 through November 30, 2014, and authorize the City Manager to execute on behalf of the City.

**Background**

Apex has leased this site for many years from the City. The lease provides for a guarantee of dockage rental based on 150 linear feet per day along the seawall on the south side of the New River and West of the Andrews Avenue Bridge.

In past years, Apex Marine has rented 300 linear feet, however, due to the impacts of the construction of the New River Yacht Club apartments, Apex was reluctant to renew the Dock Use Agreement with the City and eventually agreed to a reduced amount of dock space of 150 linear feet.

The rental rate for the dock space will be \$27,922.50 plus applicable taxes payable in equal monthly installments of \$2,326.88. The agreement also requires Apex to pay Florida submerged land lease fees of 6%, Florida state sales tax of 6% and to reimburse the City for the cost of shore-side electric.

The lease is attached as **Exhibit 1**. The lease may be canceled with 30-days written notice for convenience and on 5-days written notice for cause. The lease continues to impose policy prohibitions regarding the berthing of vessels used for gambling, all forms of adult entertainment, and/or any use determined by the Supervisor of Marine Facilities to be inconsistent with the promotion of the New River Riverwalk as a family oriented; recreational amenity and tourist attraction.

**Resource Impact**

There is a positive fiscal impact to the City will be \$27,922.50 for FY14.

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FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUB OBJECT NAME	AMOUNT	
2014	001	01	General Fund	PKR090103	New River Docks	K186	Yacht Fees	\$27,922.50	
							Total	\$27,922.50	

**Strategic Connection:**

This item is a Press Play Fort Lauderdale Strategic Plan 2018 initiative, included within the Public Places Cylinder of Excellence, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas and parks.
- Objective 1: Improve access to and enjoyment of our beach, Riverwalk, waterways, parks and open spaces for everyone.
- Initiative 3: Evaluate dock availability to complement our public places.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous.

**Attachment**

Exhibit 1 – Lease Agreement

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