

RESOLUTION NO. 22-88

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A USE AND OCCUPANCY AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE USE OF THE AIRSPACE WITHIN THE RIGHT-OF-WAY OF THE 17TH STREET CAUSEWAY/STATE ROAD A-1-A, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (FDOT) requires an Airspace Agreement for use of airspace above or below the highways' established gradeline, within certain approved right-of-way limits; and

WHEREAS, in 2002, the City of Fort Lauderdale (City) entered into a twenty (20) year Airspace Agreement with FDOT for an area under the Southeast 17<sup>th</sup> Street Causeway Bridge on the east and west side of the Atlantic Intracoastal Waterway; and

WHEREAS, the 2002 Airspace Agreement expired on April 12, 2022; and

WHEREAS, FDOT desires to continue to lease the airspace within the right-of-way of the 17<sup>th</sup> Street Causeway/State Road A-1A, to the City, for the purpose of accessing, parking, and use of a "park-like" area; and

WHEREAS, FDOT and the City wish to enter into a Use and Occupancy Agreement for the airspace within the right of way of the 17<sup>th</sup> Street Causeway/State Road A-1-A, for the purpose of accessing, parking, and use of a "park-like" area for a period of twenty (20) years;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes the execution of a Use and Occupancy Agreement with the Florida Department of Transportation for the use of the airspace within the right-of-way of the 17<sup>th</sup> Street Causeway/State Road A-1-A.


SECTION 2. That the Office of the City Attorney shall review and approve as to form all documents prior to execution by the City.

SECTION 3. That this Resolution shall be in full force and effect upon final passage and adoption.

ADOPTED this 3<sup>rd</sup> day of May, 2022.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:

  
\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis      Yea

Heather Moraitis      Yea

Steven Glassman      Yea

APPROVED AS TO FORM:

Robert L. McKinzie      Yea

  
\_\_\_\_\_  
City Attorney  
ALAIN E. BOILEAU

Ben Sorensen      Yea