



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#25-0368

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

FROM: Susan Grant, Acting City Manager

DATE: April 1, 2025

TITLE: Motion Approving a First Amendment to the Lease Agreement Between
North Broward Hospital District and the City of Fort Lauderdale for Broward
Health Park at Imperial Point Honoring Dottie Mancini, in Substantially the
Form Provided - **(Commission District 1)**

Recommendation

City staff recommends that the City Commission approve the First Amendment to the lease agreement (Agreement) between North Broward Hospital District (NBHD) and the City of Fort Lauderdale for Broward Health Park at Imperial Point Honoring Dottie Mancini (the "Property"), in substantially the form attached.

Background

On September 5, 2007, the City entered into a five-year lease agreement with NBHD for the Property located on NE 22 Avenue, designated for use as a public park and playground. In November 2013, the City entered into a ten-year lease extension, continuing its investment in the Property for public use.

By November 1, 2023, the lease expired, and NBHD took possession of the Property, restricting public access. The City and NBHD subsequently negotiated terms to regain control of the Property and maintain it as a public park, while also accommodating NBHD's future hospital expansion plans.

On October 1, 2024, the City Commission approved a new lease agreement with NBHD, which established an initial term with month-to-month payments of \$17,000. Once the extended term begins, the rent will be reduced to \$1 annually. The First Amendment clarifies and modifies key provisions to ensure a smooth transition into the extended term and secure long-term public access to the property.

Summary of the First Amendment

1. Defines a Conditional 15-Year Lease Extension:
 - Converts the lease to a 15-year term (Extended Term) contingent upon meeting key conditions (conditions consistent with initial lease), including:

- Final Development Approval of Broward Health's medical facility.
- City Commission approval of Broward Health's sublease with the YMCA.
- Regulatory approvals for Broward Health's healthcare operations, including a free-standing emergency department and fitness/wellness center.
- A recognition agreement allowing Broward Health to remain on the site if the YMCA lease is terminated.
- Final zoning, platting, and site plan approvals through the City and Broward County.

2. Adds an Option for Three Five-Year Renewals:

- Upon completion of the 15-year lease term, both parties may agree to three five-year renewal options, ensuring long-term continuity.

3. Clarifies Termination Rights:

- The initial lease provided that either party may terminate the lease without cause by providing a 90-day written notice at any time.
- This amendment provides that after the lease converts to the Extended Term, termination is only permitted for cause, including material or monetary breach of the lease terms.

4. Addresses Sovereign Immunity and Legal Liability:

- Confirms that sovereign immunity applies to tort liability only and does not limit the City's contractual obligations.
- Requires the City to defend and indemnify NBHD against claims arising from lease-related operations.

Resource Impact

There is no current fiscal impact associated with this item.

Strategic Connections

This item is a *Press Play Fort Lauderdale 2029* Initiative, included within the Public Places Cylinder of Excellence, 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

Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City.

Attachments

Exhibit 1 – Proposed First Amendment

Exhibit 2 – Lease Agreement

Exhibit 3 – Location Map

Prepared by: Angela Salmon, Program Manager I, City Manager's Office

Charter Officer: Susan Grant, Acting City Manager