



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#14-0859**

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

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

**DATE:** October 7, 2014

**TITLE:** Motion to authorize execution of (1) Revocable License Agreement for landscape, pavers and irrigation improvements between Broward County, City of Fort Lauderdale and TRG New River II, LTD., developer of New River Yacht Club and (2) Agreement Ancillary to Revocable License Agreement

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**Recommendation**

It is recommended that the City Commission authorize execution of (1) the Revocable License Agreement among the County, City and TRG New River II, LTD., ("Developer") for landscape, pavers, and irrigation improvements in the County right-of-way (ROW) (**Exhibit 1**) and (2) the Agreement Ancillary to Revocable License Agreement (**Exhibit 2**).

**Background**

The New River Yacht Club final site plan was approved by the Commission at its December 6, 2011 meeting as Resolution 11-330, via item R-01, requiring landscaping, pavers and irrigation in the County ROW on Andrews Avenue.

This practice was recently approved as part of the City's Complete Streets efforts. In order to implement these Complete Street elements on a County roadway, we are required to enter into a revocable license agreement between the City and County to maintain the Right of Way for the project.

The Revocable License Agreement calls for the City to be the functional equivalent of a guarantor of the Developer's obligations under that instrument. To establish a means of recourse back against the Developer the City Attorney's Office is recommending that the Agreement Ancillary to Revocable License Agreement (**Exhibit 2**) be executed as a condition precedent to execution of the Revocable License Agreement. The Ancillary Agreement (**Exhibit 2**) provides conditions, procedures and penalties as against the Developer that are otherwise not provided for in the underlying Revocable License Agreement between the County, Developer and City.

**Resource Impact**

No fiscal impact at this time.

**Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Infrastructure 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:**

EX 1 County/City/Developer Revocable License Agreement

EX 2 Agreement Ancillary to Revocable License Agreement

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Prepared by: Sharon Dreesen, Transportation and Mobility Department

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