

RESOLUTION NO. 23-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE EXECUTION BY THE PROPER CITY OFFICIALS ON BEHALF OF THE CITY OF A SOVEREIGNTY SUBMERGED LANDS EASEMENT BETWEEN THE STATE OF FLORIDA BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND AND THE CITY OF FORT LAUDERDALE, FOR BOT FILE NO. 061230996 – NORTH NEW RIVER CANAL; REPEALING ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT WITH THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale ("City") was granted license by the State of Florida Department of Transportation ("FDOT") for installation of a forcemain through FDOT rights-of-way bordering the North New River Canal; and

WHEREAS, the State of Florida Board of Trustees of the Internal Improvement Fund ("TIIF") granted a Sovereignty Submerged Lands Easement ("SSLE") in 1988 for the construction, operation and maintenance of a 12-inch forcemain beneath the waters of the North New River to convey water to the City of Davie; and

WHEREAS, the 1988 SSLE has expired and is in need of renewal; and

WHEREAS, the State of Florida Department of Environmental Protection ("FDEP") has provided to the City a renewal SSLE with a term that runs through April 18, 2067 which must be counter-signed by the proper City officials on behalf of the City; and

WHEREAS, execution of the proposed SSLE renewal with the TIIF, as administered by the FDEP is necessary for the continued operation and maintenance of the existing water main beneath the North New River Canal; and

WHEREAS, execution of the SSLE renewal serves a valid municipal purpose.

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

**SECTION 1.** The City Commission hereby authorizes execution of the Sovereignty Submerged Lands Easement BOT file No. 061230996 ("SSLE") by the proper City Officials on behalf of the City, a substantial copy of which is attached hereto as Exhibit "A," and submission of the CITY executed SSLE to the FDEP and TIIF.

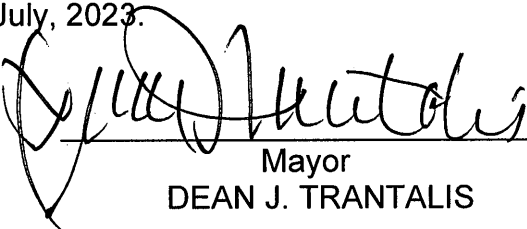
SECTION 2. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by the Mayor and City Manager.

SECTION 3. That if any clause, section or other provisions within this Resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby but shall remain in full force and effect.

SECTION 4. That all Resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. That this Resolution shall be in full force and effect upon final adoption.

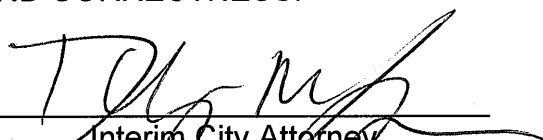
ADOPTED this 5<sup>th</sup> day of July, 2023.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:

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

APPROVED AS TO FORM  
AND CORRECTNESS:

  
\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis      Yea

John C. Herbst      Yea

Steven Glassman      Yea

Pamela Beasley-Pittman      Yea

Warren Sturman      Yea