



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

**#15-1072**

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

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

**DATE:** August 18, 2015

**TITLE:** Motion Approving Housing Authority Requests Related to Northwest  
Gardens V Redevelopment and Approval of the Amended and Restated  
Cooperation Agreement

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**Recommendation**

It is recommended that the City Commission approve (1) the third amendment to the Conveyance, Development and Use Agreement and Partial Release; (2) the third amendment to Declaration of Restrictive Covenants and Partial Release; and, (3) the first amendment and joinder to Agreement relating to the Northwest Gardens V Redevelopment Project. Further it is recommended that the City Commission approve the Amended and Restated Cooperation Agreement relating to the reinstatement of a Payment-In-lieu-Of-Taxes (PILOT) payment to the City.

**Background**

The Housing Authority of the City of Fort Lauderdale (HACFL) has made two (2) requests to support the Northwest Gardens Phase V Redevelopment project. The first request is to release two (2) surplus properties- 1220 NW 7th Street and 650 NW 14th Avenue. Under the terms of the Conveyance Agreement, HACFL was obligated to build 38 multifamily units. According to HACFL the units were built with the development of prior phases of the Project Northwest Gardens. The second request is to consent to the transfer of property located at 1212 NW 7th Street from Housing Enterprises to the HACFL which will encumber the units under a long term ground lease. Housing Enterprises would be released from any liability under the 2008 CHDO Agreement and the HACFL would be added as the Participant. It is recommended the City impose the following conditions:

1. Amend the Restrictive Covenant to encumber the property located at 205 NW 11th Avenue;
2. Amend the Restrictive Covenant to encumber the new development (Northwest Gardens V) to provide that the units shall be leased to low income residents for 20 years starting from the date the units are placed in service;

3. Execution of the First amendment and Joinder to Agreement (Exhibit 4); and,
4. HACFL provides the City with a certified copy of the Ground Lease.

Additionally, HACFL has agreed to pay the City an annual PILOT payment in the amount of \$54.87 per unit per year (currently 1,458 units totaling \$80,000), adjusted annually by the Implicit Price Deflator for State and Local Government Consumption Expenditures and Gross Investment with no increase or decrease to be greater than 3%. This is memorialized in the Amended and Restated Cooperation Agreement (Exhibit 5).

**Resource Impact:**

It is estimated that the PILOT payment will generate \$80,000 annually to the City of Fort Lauderdale.

**Strategic Connections:**

This item is a *Commission Annual Action Plan* priority, included within the Policy Agenda, advancing the Comprehensive Homeless Strategy.

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 5: Work with partners to reduce homelessness by promoting independence and self-worth through advocacy, housing, and comprehensive services.
- Initiative 2: Implement a comprehensive short and long-term strategy with community partners to address Homelessness.

This item also furthers the *Fast Forward Fort Lauderdale 2035 Vision Plan: We are Community*.

**Attachments:**

Exhibit 1 - Letter from HACFL dated February 9, 2015

Exhibit 2 - Third Amendment to the Conveyance, Development and Use Agreement and Partial Release

Exhibit 3 - Third Amendment to Declaration of Restrictive Covenants and Partial Release

Exhibit 4 - First Amendment and Joinder to Agreement

Exhibit 5 - Amended and Restated Cooperation Agreement

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8/18/2015

CAM #15-1072