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

**FROM:** Greg Chavarria, City Manager

**DATE:** February 21, 2023

**TITLE:** Resolution Amending Resolution 22-89 to Replace ‘Park-Like’ with ‘Open Public Space’ in the Riverland Woods Park Use and Occupancy Agreement between the Florida Department of Transportation and the City of Fort Lauderdale – (**Commission District 4**)

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**Recommendation**

Staff recommends the City Commission approve a Resolution to amend Resolution 22-89 to replace ‘park-like’ with ‘open public space’ from the Riverland Woods Park Use and Occupancy Agreement (“UOA”) between the Florida Department of Transportation (“FDOT”) and the City of Fort Lauderdale (“City”).

**Background**

In 2012, the City entered into a ten (10) year Airspace Agreement with FDOT for the use of a portion of property adjacent to Riverland Woods Park near State Road 7 (Exhibit 1). The area outlined in the agreement is used as a loop road to accommodate turning movements for the boat ramp. No fees were charged to the City by FDOT for this agreement. The 2012 FDOT Airspace Agreement expired on October 25, 2022 (Exhibit 2).

On May 3, 2022, a new agreement between the City and FDOT for the property was approved by City Commission for ten (10) years at no cost to the City. The proposed UOA and Resolution 22-89 included language referencing ‘park-like’ (Exhibit 3).

In July 2022, FDOT administrators requested to amend the UOA by removing ‘park-like’. The modification that is being proposed will make it possible to carry out potential future transportation developments.

On January 24, 2023, the City Commission deferred item R-4 (CAM 23-0147) to February 21, 2023 to allow for additional public input and negotiations with FDOT. As a result of the additional time, FDOT agreed to add ‘open public spaces’ as a general-purpose use.

The amended UOA and Resolution, in substantially the form attached, will replace ‘park-like’ with ‘open public spaces’ and still extend the City’s use for an additional ten (10) years

at no cost to the City (Exhibit 4).

### **Resource Impact**

There is no fiscal impact to the City associated with this action.

### **Strategic Connections**

This item supports a *2022 Top Commission Priority*, the Parks and Public Places, specifically advancing:

- Maintenance of streetscapes, medians, and public areas

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Public Places
- Goal 2: Build a healthy and engaging community
- Objective: Improve access to and enjoyment of our beach, waterways, parks, and open spaces for everyone

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We are Connected*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan*, specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation, and Open Space Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – 2012 FDOT Airspace Agreement

Exhibit 3 – Resolution No. 22-89

Exhibit 4 – Revised Use and Occupancy Agreement

Exhibit 5 – Resolution

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Prepared by: Ben Rogers, Director of Transportation and Mobility

Charter Officer: Greg Chavarria, City Manager