



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

#14-0521

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

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

DATE: April 15, 2014

TITLE: Second Reading - Ordinance Amending Code Sections 2-63 and 2-64
Authority to Lease and Grant Concessions on City Property for Periods
Not Exceeding One Year

Recommendation

It is recommended that the City Commission adopt an ordinance amending Sections 2-63 and 2-64 of the Code of Ordinances of the City of Fort Lauderdale, Florida, to authorize the City Manager to lease City property or grant concession rights upon City property for periods not exceeding one (1) year and to execute such lease or agreement upon forms bearing the approval of the City Attorney.

Background

Section 8.05¹ of the City Charter provides the City Manager, by ordinance, is empowered to enter into leases or grant concessions for a period not to exceed one (1) year. These properties include, but are not limited to, airports and airport property, public recreational facilities, tennis courts, recreational halls, stadiums, football fields, baseball fields, playgrounds, public beaches, swimming pools, fishing piers, yacht basins, docks and wharves.

¹ Sec. 8.05. Leases for not more than one year. (a) The City of Fort Lauderdale is hereby empowered to lease or grant concessions for a period not exceeding one (1) year in any public property, upon a majority vote of the city commission, or by or through any board, commission, officer, manager or city manager designated by ordinance to do so. Included in properties which may be leased are airports and airport property, public recreational facilities, golf courses, tennis courts, recreational halls, stadiums, football fields, baseball fields, playgrounds, public beaches, swimming pools, fishing piers, yacht basins, docks and wharves; and the list enumerated is not exclusive but merely indicative of the class of public property deemed to be operated in a proprietary capacity. The provisions of this section shall also be applicable to leases to civic or charitable organizations, public nonprofit corporations, and like organizations, not exceeding one (1) year. (b) Any and all leases of one (1) year or less previously entered into by the City of Fort Lauderdale with any civic or charitable organizations, public nonprofit corporations, or like organizations are hereby ratified and confirmed.

Sections 2-63² and 2-64³ of the Code of Ordinances permit the City Manager to lease City property or grant concession rights upon City property for periods not exceeding one (1) year and to execute such lease or agreement upon forms bearing the approval of the City Attorney *upon motion* of the City Commission.

Past practice has been to execute leases and agreements for periods under a year without a motion of the Commission. In order to effectuate this past practice, the City Manager is requesting that a change in the ordinance be adopted.

Resource Impact

There is no fiscal impact to the City.

Strategic Connections:

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Internal Support Cylinder of Excellence**, specifying advancing:

- **Goal 12:** Be a leading government organization, managing resources wisely and sustainably.
- **Objective 3:** Provide Safe, efficient and well-maintained vehicles, equipment and facilities and integrate sustainability into daily operations.
- **Initiative 8:** Maximize the best use of or sell City real estate

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous

Attachments: Ordinance

Prepared by: Lee R. Feldman, ICMA-CM, City Manager

Department Director: Lee R. Feldman, ICMA-CM, City Manager

² Sec. 2-63. Authority to lease city property. Except when otherwise specified within this Code, the city manager is hereby empowered, upon the city commission's approval by motion, to lease city property for periods not exceeding one (1) year, and to execute such leases upon forms bearing the approval of the city attorney and the attestation of the city clerk.

³ Sec. 2-64. Authority to grant concession rights in or upon city property. Except when otherwise specified within this Code, the city manager or his designee is hereby empowered, upon the city commission's approval by motion, to grant concession rights in or upon city property for periods not exceeding one (1) year and to execute agreements granting such concession rights upon forms bearing the approval of the city attorney and the attestation of the city clerk.