



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

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

DATE: October 3, 2017

TITLE: Motion Approving the Execution of a Declaration of Restrictive Covenant
Restricting Groundwater Use at Mangurian Park

Recommendation

It is recommended that the City Commission approve the execution of the Declaration of Restrictive Covenants restricting the use of groundwater at Mangurian Park located at 3850 N Federal Highway.

Background

On December 15, 2015 (CAM# 15-1615), the City Commission approved the purchase of a park parcel at 3850 N Federal Hwy. This land was developed into Mangurian Park which celebrated its grand opening on June 16, 2016. The CAM contained a Declaration of Interim Restrictive Covenants that restricted the use of groundwater at the park due to historical uses of agrochemicals (page 32 of Exhibit 2 - Addendum to the Purchase and Sale Contract).

The purpose of this agenda item is to finalize those interim restrictive covenants in a permanent Declaration of Restrictive Covenant which would then allow Broward County to issue a No Further Action with Conditions for the contamination on the site. Parks and Recreation Department expressed no operational concerns related to these restrictions. Specifically groundwater use will be restricted to the following:

- No use of the groundwater will be allowed. Irrigation is currently provided by potable sources and therefore will not be impacted

- No dewatering is to occur unless a plan is approved by Broward County

In addition, no stormwater swales, detention/retention facilities, or ditches are currently present. If that type of infrastructure were to be installed in the future, approval would need to be obtained by Broward County, and possibly South Florida Water Management District and Florida Department of Environmental Protection.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Infrastructure Enhancement Cylinder of Excellence, specifically advancing:

- Goal 2: Be a sustainable and resilient community.
- Objective 5: Improve air and water quality and our natural environment.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

Attachment

Exhibit 1 – Declaration of Restrictive Covenant

Prepared by: Todd Hiteshew, Environmental Services Manager, Public Works

Department Director: Paul Berg, Public Works