



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

#17-1262

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

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

DATE: November 7, 2017

TITLE: Motion to Approve a Development Agreement with All Aboard Florida –
Operations, LLC for Roadway Improvements and Alternative Parking
Spaces

Recommendation

It is recommended that the City Commission approve a Developer Agreement, in substantially the form attached, with All Aboard Florida – Operations, LLC for the roadway improvements along NW 1st Street between NW 3rd Avenue and NW 4th Avenue as well as the construction of a new parking lot on Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (BOT) property and hereby delegate to the City Manager the authority to finalize the terms and conditions of the agreement subject to final review by the City Attorney.

Background

At the City Commission Conference Meeting on March 1, 2016, staff presented a plan outlining how the City would acquire rights to approximately 11, 829 square feet of land owned by the State of Florida through Section 253.42, Florida Statutes, which allows for state-owned lands to be offered at no cost to a county or local government. After further conferring with the Florida Division of State Lands staff, as well as staff from All Aboard Florida, it was determined that submitting an executed upland easement application would ultimately be the best way of attempting to acquire easement rights on land currently owned by the State. The State has approved the easement application and accepting the easement went before the City Commission as part of CAM 17-1259.

The Development Agreement (Exhibit 1) considered in this item will commit All Aboard Florida to the development responsibility for the new roadway along NW 1st Street between NW 3rd Avenue and NW 4th Avenue and a new parking lot, “Alternative Parking Spaces,” for BOT to mitigate for the loss of parking due to the roadway construction.

As part of the Developer’s obligations, the Developer at its sole cost and expense shall:

(a) Provide BOT with sixteen (16) reconfigured parking spaces in the adjacent existing parking garage, owned by the DEVELOPER, which shall be available until completion of the Alternative Parking Spaces;

- (b) Construct the Roadway;
- (c) Construct the Alternative Parking Spaces; and
- (d) Provide ongoing maintenance of the back curb improvements for the Roadway, including the sidewalks and landscaping.

The approval of the Development Agreement will hold All Aboard Florida responsible to abide by the terms outlined in the Memorandum of Understanding between the City of Fort Lauderdale and BOT as approved by the City Commission on November 7, 2017. All Aboard Florida acknowledges that the Alternative Parking Spaces shall be constructed on state owned property and the State must receive the benefits set forth in the MOU. Further, All Aboard Florida acknowledges that the plans, specification and construction of the Alternative Parking Spaces is subject to rights of inspection, approval and acceptance by the State. All Aboard Florida shall coordinates its activities with the state and secure its approval and acknowledgement of completion of the Alternative Parking Spaces.

Resource Impact

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

Strategic Connections

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

- Goal 1: Be a pedestrian friendly, multi-modal City.
- Objective 1: Improve transportation land use and planning to create a walkable and bikeable community.

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

Attachment

Exhibit 1 – Development Agreement

Prepared by: Ryan Henderson, City Manager's Office

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