



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#21-1176

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: January 5, 2022

TITLE: Motion Authorizing Execution of 1) A Revocable License Agreement between New River III, LLC, Broward County and the City of Fort Lauderdale for the Installation and Maintenance of Improvements on South Andrews Avenue in Association with the “New River Yacht Club III” Project Located at 417-441 South Andrews Avenue; and 2) An Agreement Ancillary to Revocable License Agreement, Between New River III, LLC and the City of Fort Lauderdale – **(Commission District 4)**

Recommendation

Staff recommends the City Commission consider approving a motion authorizing the execution of two separate agreements for the perpetual maintenance of public realm improvements on South Andrews Avenue, in association with the “New River Yacht Club III” project located at 417-441 South Andrews Avenue, as follows: 1) A Revocable License Agreement (“RLA”) among New River III, LLC (“Developer”), Broward County and the City of Fort Lauderdale (“Tri-Party RLA”); and 2) An Agreement Ancillary to said Tri-Party RLA, between New River III, LLC and the City of Fort Lauderdale (“AARLA”).

Background

On November 2, 2021, the City Commission authorized the execution of the two subject agreements for the perpetual maintenance of public realm improvements on South Andrews Avenue, in association with the “New River Yacht Club III” project located at 417-441 South Andrews Avenue. This item is being brought back to the City Commission for consideration because the County has since revised the Tri-Party RLA document with minor grammatical and sentence structure changes and the addition of certain boilerplate language. Specifically, the County added language pertaining to noticing and binding all purchasers, grantees, heirs, successors, and assigns of the property that is the subject of the Revocable License Agreement. Additionally, a provision was added pertaining to which party is responsible for recording the Revocable License Agreement in the Public Records of Broward County. A “Location Map” is attached as Exhibit 1, and “License Area” is attached as Exhibit 2, which are unchanged.

A copy of the updated Tri-Party RLA is provided as Exhibit 3, and a copy of the updated AARLA is included as Exhibit 4. If the City Commission approves execution of both

agreements, then originals of the Tri-Party RLA executed by the City will be forwarded to Broward County for consideration and formal action by the Board of County Commissioners to enter into the agreement.

Resource Impact

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

Strategic Connections

This item is a *2021 Commission* Priority, advancing the Smart Growth initiative.

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

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community.
- Objective: Improve roads, sidewalks, and trails to prioritize a safer, more walkable and bikeable community

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 Infrastructure Focus Area
- The Transportation & Mobility Element
- Goal 1: Ensure the equitable development of a Complete Network for transportation that prioritizes Safety and emphasizes multimodal mobility and accessibility.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – License Area

Exhibit 3 – Tri-Party RLA

Exhibit 4 – AARLA

Prepared by: Raymond Meyer, Urban Engineer II, Development Services Department

Department Director: Anthony Greg Fajardo, Development Services Department