CITY OF FORT LAUDERDALE
City Commission Agenda Memo **#26-0195**
REGULAR MEETING

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

FROM: Rickelle Williams, City Manager

DATE: March 3, 2026

TITLE: Motion Approving a Third Amendment to the Brickell License Agreement with Las Olas Riverfront, LP – **(Commission District 4)**

Recommendation

Staff recommends that the City Commission approve the Third Amendment to the Brickell License Agreement between the City of Fort Lauderdale and Las Olas Riverfront, LP.

Background

In March 1992, the City of Fort Lauderdale (the "City") entered into the Brickell License Agreement with Historic Brickell, Ltd. in connection with the redevelopment of the Brickell Avenue Property (now commonly known as Riverwalk Fort Lauderdale). The License Agreement granted the developer certain rights to use City-owned waterfront areas, including portions of the Riverwalk, sidewalks, and dock space, to support the private redevelopment of the adjacent upland property.

The License Agreement provided for an initial twenty-five (25)-year term, commencing upon satisfaction of specified development and City improvement milestones, and included an option for one (1) additional twenty-five (25)-year renewal term under the same terms and conditions, subject to the developer's compliance with the agreement.

In March 1997, the City and Historic Brickell, Ltd. executed a First Amendment to the Brickell License Agreement as part of a broader restructuring of the redevelopment agreements for the Brickell Avenue Property. The First Amendment revised certain license provisions related to waterfront operations, event and vendor coordination, and implementation of the redevelopment framework.

Through an Addendum recorded in April 1999, Las Olas Riverfront, LP (LOR) became the successor in interest to Historic Brickell, Ltd. and assumed all rights and obligations under the License Agreement. The Addendum also memorialized the commencement date of the License Agreement as May 15, 1998, resulting in an initial expiration date of May 14, 2023.

In August 2015, the Second Amendment to the Brickell License Agreement resolved past-

due license fee issues, updated the license fee structure, and modified dockage rights. Specifically, the Second Amendment reduced the developer's dockage rights from approximately 460 linear feet to a non-exclusive right to use 160 linear feet of day dockage, reserved for public use on a first-come, first-served basis, with the City retaining control of commercial dockage along the Riverwalk.

Under the License Agreement, the City is responsible for maintenance of the Brickell Waterfront, including the seawall and related capital improvements, while the licensee is responsible for certain supplemental maintenance and operational obligations.

The seawall and dock infrastructure serving the Brickell Dock Space has deteriorated and are currently unusable. As a result, the licensee has been unable to utilize the 160 linear feet of day dockage granted under the Second Amendment. The City anticipates undertaking seawall and dock repairs; however, the timing of construction is dependent on permitting, funding, procurement, contractor scheduling, and construction conditions.

The purpose of the proposed Third Amendment to the Brickell License Agreement is to address the expiration of the initial license term, memorialize the exercise of the renewal option, and account for dock unavailability caused by required seawall and dock repairs.

Specifically, the Third Amendment:

- Confirms the licensee's exercise of the twenty-five (25)-year renewal option provided in the Original License Agreement, extending the license term through May 14, 2048;

- Further extends the license term by an additional two (2) years to account for anticipated downtime associated with seawall and dock repairs, resulting in a revised expiration date of May 14, 2050;

- Provides that license fees associated with the Brickell Dock Space will be waived during periods when the dock space is unavailable due to seawall repairs; and

- Clarifies access, coordination, and liability provisions related to the City's performance of seawall and dock repair work, while preserving all other terms and conditions of the License Agreement as previously amended.

City staff recommend that the City Commission approve and authorize the execution of the Third Amendment to the Brickell License Agreement with Las Olas Riverfront, LP, extending the term of the agreement, addressing dock unavailability resulting from seawall conditions, and confirming the renewal of the license under the terms described above.

Resource Impact

There is a potential negative fiscal impact to the City estimated in the amount of $9,883.74 resulting from the waiver of dock-related license fees during periods when the Brickell Dock Space is unavailable due to required seawall and dock repairs. This impact is

temporary in nature and will continue only until the seawall and associated dock infrastructure are repaired and the dock space is restored to a usable condition.

Strategic Connections

This item is a Fiscal Year (FY) *2026 Commission* Priority, advancing the Infrastructure and Resilience initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Infrastructure and Resilience Focus Area, Goal 4: Facilitate an efficient, multimodal transportation network

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 – Third Amendment
Exhibit 2 – License Area

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