



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-0075

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

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

DATE: February 21, 2017

TITLE: Motion to Approve Sovereignty Submerged Land Lease Renewal/Board of
Trustees of the Internal Improvement Trust Fund of the State of Florida/
BOT File No. 061391506 - Cooley's Landing Marina

Recommendation

It is recommended that the City Commission approve a motion for renewal of the Sovereignty Submerged Land Lease at the Cooley's Landing Marina with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida from April 12, 2015 to April 12, 2025 and authorize the City Manager to execute the lease.

Background

The Cooley's Landing Marina sits atop Submerged Sovereign Lands owned by the State of Florida and leased to the City of Fort Lauderdale under the Board of Trustees of the Internal Improvement Trust Fund (Trustees). Under the lease, the city pays an annual fee for the use of the land. The fee is based on a flat rate per square foot plus a percentage of revenues derived from the use of the submerged land (dockage revenues). For 2014, the annual lease fee paid was \$6,188.00. Lease fees vary from year to year depending on dock revenues and the Consumer Price Index.

The city has leased submerged land at Cooley's Landing Marina since the 1990's and has renewed this lease many times. The expired lease term ran from February 2006 through April 12, 2015. Notice of renewal and the new instrument was received via mail on April 9, 2015. The city found language in the renewal which is inconsistent with Section 768.28(19), Florida Statutes and recommended to the state that language be modified to comply with the statutes. The state agreed to the modifications and sent the new agreement. In error, on June 16, 2015, the City Commission executed the lease which did not comply with Section 768.28(19), Florida Statutes and returned it to the state and the state executed it and returned it to the city. The state found the error and sent the unexecuted modified lease back to the city for execution. The start dates on each agreement differ, due to the state's tracking the date of the modification and does not reflect a lapse in the lease term between the two agreements.

Resource Impact

Funds for this lease in the estimated amount of \$6,200 are available in the FY 2017 Budget in the account listed below:

<i>Funds available as of January 19, 2017</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
001-PKR090104-3313	Cooley's Landing	Services & Materials / Land Leases	\$147,295	\$134,939	\$6,200
			PURCHASE TOTAL ►		\$6,200

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 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas and parks.

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

Attachment

Exhibit 1 – Submerged Land Lease

Prepared by: Jonathan Luscomb, Parks and Recreation

Department Director: Phil Thornburg, Parks and Recreation