



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-0007

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

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

DATE: April 19, 2017

TITLE: Motion Authorizing a Revocable License Agreement among the County, City of Fort Lauderdale, and Blackhawk Properties & Investments, LLC and an Agreement Ancillary to Revocable License Agreement for Improvements in the County Right of Way

Recommendation

It is recommended that the City Commission approve a motion to authorize the City Manager to execute two agreements: 1) a Revocable License Agreement among Broward County, City of Fort Lauderdale (City), and Blackhawk Properties & Investments, LLC, for installation of landscaping, irrigation, pavers, site lighting and decorative pedestrian lighting improvements in the County Right of Way (R.O.W.) and 2) an Agreement Ancillary to Revocable License Agreement.

Background

The applicant, Blackhawk Properties & Investments, LLC, will install landscaping, irrigation, pavers, site lighting and decorative pedestrian lighting to comply with the intent of the Downtown Master Plan design guidelines. These improvements lie along a portion of the R.O.W. on S. Andrews Avenue, including the corner chord on the northeast corner of South Andrews Avenue and SE 6 Street.

In order for private developments to implement streetscape improvements as identified in the Downtown Master Plan and further the Complete Streets Program but which fall within the City's R.O.W., an agreement will be required. To ensure implementation of proposed design features on a County roadway, the City is required to enter into a Revocable License Agreement with the County to ensure maintenance of the R.O.W. improvements associated with the development.

The Revocable License Agreement calls for the City to act as the functional equivalent of a guarantor of the developer's obligations under that instrument. In order to establish a means of recourse against the developer, the City Attorney's Office recommends that the Agreement Ancillary to Revocable License Agreement be executed as a condition precedent to execution of the Revocable License Agreement. The Ancillary Agreement provides conditions, procedures, and additional penalties for recourse against the

developer, that are otherwise not provided for in the underlying Revocable License Agreement between the County and City.

Resource Impact

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

Strategic Connections

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

- Goal 1: Be a pedestrian friendly, multi-modal city.
- Objective 1: Integrate transportation land use and planning to create a walkable and bikeable community.
- Initiative 8: Adopt Complete Streets guidelines.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan* initiative: We are Connected.

Attachments

Exhibit 1 – County/City/Developer Revocable License Agreement

Exhibit 2 – Ancillary Agreement to Revocable License Agreement

Prepared by: Jill Prizlee, P.E., Interim City Engineer

Department Director: Anthony Greg Fajardo, Sustainable Development