



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-1392

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

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

DATE: December 5, 2017

TITLE: Motion Authorizing a Revocable License Agreement among the County, City of Fort Lauderdale and GUGV 790 Broward Property Owning LLC, and an Agreement Ancillary to Revocable License Agreement for Improvements in the County Right of Way at 790 E. Broward Boulevard

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, the City of Fort Lauderdale, and GUGV 790 Broward Property Owning LLC (Applicant) for installation of landscaping, irrigation, paved sidewalks and pedestrian lighting improvements in the County Right of Way; and 2) an Agreement Ancillary to Revocable License Agreement.

Background

As a condition of the site plan approval, the applicant is required to install trees, landscaping, irrigation, paved sidewalks, and pedestrian lighting in accordance with the guidelines of the Downtown Master Plan & City Vision Plan. These improvements are located on the southeast corner of East Broward Boulevard and SE 8 Avenue, along the north property line of the development and within the East Broward Boulevard Right-of-Way.

The City is required to enter into a Revocable License Agreement with the County whenever improvements are installed in County Rights-of-Way by a private entity, to ensure the proper maintenance of those improvements.

The Revocable License Agreement (attached as Exhibit 1) 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 (attached Exhibit 2) 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.

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: We are Connected.

Attachments

Exhibit 1 – County-City -Developer Revocable License Agreement

Exhibit 2 – Agreement Ancillary to Revocable License Agreement

Prepared by: Dennis Girisgen, P.E., Land Development Manager

Department Director: Anthony Fajardo, Department of Sustainable Development