



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#18-0005**

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

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

**DATE:** May 15, 2018

**TITLE:** Motion Authorizing Execution of an Air Rights License Agreement with Las Olas Walk Owner, LP for the Installation and Maintenance of Two Pedestrian Bridges in Association with the Las Olas Walk Development Located at 116 and 200 South Federal Highway

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**Recommendation**

It is recommended that the City Commission approve a motion to authorize the execution of an Air Rights License Agreement with Las Olas Walk Owner, LP for the installation and maintenance of two pedestrian bridges located above Southeast 2<sup>nd</sup> Street for the Las Olas Walk development project.

**Background**

On September 19, 2017, the City Commission approved the site plans for the Las Olas Walk South (Case No. R16058) and Las Olas Walk North (Case No. R16059) development projects. The project Location Map is attached as Exhibit 1. The approved development plan includes the construction of two pedestrian bridges over the Southeast 2<sup>nd</sup> Street right-of-way to connect the two buildings.

The Air Rights License Agreement grants the developer with a perpetual and exclusive air rights license and permits the developer to construct, maintain, repair and/or replace two pedestrian bridges connecting the buildings within the residential development over and across the right-of-way. The term is for 50 years with automatic renewals every five years thereafter. The City would have the ability to terminate the Agreement and remove the structures (at developer's expense) should the developer or future owners fail to comply with their obligations.

The Typical Section is attached as Exhibit 2. A copy of the Air Rights License Agreement is provided as Exhibit 3.

**Resource Impact**

The City should receive a non-refundable fee of \$50,000.

<b>Funds available as of May 9, 2018:</b>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
001-DSD010201-N900	Engineering Division	Miscellaneous Income	\$0	\$0	\$50,000
<b>TOTAL AMOUNT ►</b>					<b>\$50,000</b>

### **Strategic Connections**

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

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port, and rail connections.
- Objective 2: Facilitate a responsive and proactive business climate.

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

### **Attachments**

Exhibit 1 – Location Map  
Exhibit 2 – Typical Section  
Exhibit 3 – Air Rights License Agreement  
Exhibit 4 – Appraisal Report

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

Department Director: Anthony Greg Fajardo, Sustainable Development Director