


MEMORANDUM

TO: City Commission
Robert Baldwin, City Manager
Colin Donnelly, Assistant City Manager
Marc LaFerrier, Director of Community Development
Mark Felicetty, Director of Parks and Recreation
Mike Cassano, MPA, Assistant Chief of Operations,
BSO Fire-Rescue and Emergency Services
Sean Brown, Battalion Chief, Fire Marshal's Office
Louise Stilson, City Clerk

FROM: Thomas J. Ansbro 

DATE: May 24, 2013

RE: Proposed Tri-Party Agreement among City, Broward County
and Rolly Marine Service Company

Attached is a letter from Justin Leto, an attorney representing Rolly Marine (“Rolly”), which is located on State Road 84 in the “Marina Mile” District. Please review the letter in conjunction with this memorandum, since it outlines the history and nature of the present request.

Rolly approached City staff a number of months ago, seeking City assistance in resolving a long standing boundary issue between it and Broward County, which issue pertains to a strip of land located on the eastern boundary of Secret Woods Nature Park (a County park located within the City), and the western boundary of Rolly Marine Service Company.

City staff and I have met with Rolly and County officials on-site and, after many drafts, have negotiated the attached proposed agreement that would assist in resolving the boundary issue and in providing a substantial benefit to the City to protect the Park.

If the City agrees to assist, it is not committed to award the bid to Rolly for disposition of the strip as City “surplus property” unless, indeed, it is the “highest and best” bidder per the City Charter. Realistically and practically, the strip of land has no discernible value to anyone other than Rolly. The City’s “surplus real property” Charter provisions apply and would be observed in all respects. Presently, a number of marina support facilities and equipment are located or encroach upon the strip, as they have for several decades.

I have examined the request and can recommend to you that it appears to be ultimately beneficial to the City, since a fire wall is proposed to be installed by Rolly. By providing the wall and a fire line, both of those improvements would serve to protect a very valuable Park property. The Broward County Commission authorized County officials to sign the Agreement at its regular meeting on Tuesday, May 14, 2013. The Fire Marshall and the City's landscape consultant have reviewed the proposal and are willing to approve it if it moves forward.

This is ready for City Commission action (adoption of a resolution authorizing execution of the Agreement).

Attachments: Letter from Justin Leto, Esquire dated May 15, 2013
Proposed Tri-Party Agreement
Broward County Board of County Commissioners' Agenda Item