



NE 13th Avenue Sidewalk and Drainage Improvements Project Update

Following the recent City Commission meeting and public comments regarding the NE 13th Avenue Sidewalk and Drainage Improvements Project, staff contacted the state and federal grant agencies to ask whether they would reconsider the sidewalk requirement within the current project. Unfortunately, we were advised that if the City is not willing or able to move forward with the project as originally authorized, the entire project would have to be canceled. The sidewalks network, in addition to enhancing multimodal connectivity, are an integral component of the drainage improvements.

This project represents an investment of more than five million dollars to enhance drainage, reduce flooding, and create upgraded multimodal connections that support a more connected and walkable downtown. It is the policy of cities and public agencies to promote safe, accessible multimodal transportation options that ensure pedestrians, cyclists, transit users, and residents of all ages and abilities can move through the community safely and efficiently.

We recognize that some residents have expressed concerns regarding communication during the planning process. The feedback of our residents is important, and we are committed to improving outreach and engagement for future infrastructure projects. At this stage, however, it is essential that the project proceed as planned to address the long-standing infrastructure and drainage needs in this area.

Following is a summary of the project's history, funding structure, contractual obligations, and potential impacts should the project be canceled or materially altered at this stage. For reference, a detailed map showing the sidewalk locations within the project limits is attached.

NE 13th Avenue Improvement Project Limits and Scope

The project limits extend from NE 12 Avenue to NE 16 Avenue and Oakland Park Boulevard to NE 40 Place. All side streets between Oakland Park Boulevard and NE 40 Place were included in the original scope, except NE 38 Street, which already contains an existing sidewalk, and NE 34 Court, which was included in a separate CSLIP application. These boundaries were established in the City's 2017 Complete Streets and Localized Initiatives Program (CSLIP) application, approved by the City Commission through Resolution R-2017-135 on November 1, 2017. Prior to Commission approval of the application, a community meeting was held on October 24, 2017 in accordance with grant requirements.

The sidewalk locations presented in 2017 remain identical to those in the current construction plans. Each side street has sidewalks planned for only either the north or south side, i.e. a single side of the street only. No side streets in the project include sidewalks on both sides of the street. All work is located entirely within the existing public right-of-way. No private property is being acquired, altered, or encroached upon.

This project was identified as a priority in the 2017 Mobility Study and CRA Strategic Plan, both developed through extensive public engagement and stakeholder input. It was also included in the City's Five-Year Capital Improvement Plan beginning in 2017 and supported by several resident letters of support attached

to the original CSLIP application. As shown by these records, the NE 13th Avenue Improvement Project has been part of Oakland Park's adopted infrastructure strategy since 2017.

NE 15th Avenue Improvement Project

A separate CSLIP application was approved by the City Commission on October 20, 2021. As noted in the agenda item brought to Commission, this application was intended to complement the approved NE 13th Avenue Project by way of installing sidewalks on NE 15th Avenue and drainage elements. A community meeting was held on October 5, 2021, prior to the City Commission approval of the grant application. A modification to the NE 15th Avenue Improvement Project application was approved by Commission on December 15, 2021. The application was amended to include additional sidewalk connectivity to the downtown and to meet the \$500,000 minimum construction threshold for the grant. The amended application provided sidewalks on both the north and south sides of all side streets; a second community meeting was held on December 13, 2021, to outline these changes. No changes were made to the NE 13th Avenue Improvement Project as part of the grant application.

The amended application to the CSLIP was not approved for funding by the granting agency and the project was not included in future Capital Improvement Plans. No design elements from the project were incorporated in the NE 13th Avenue Improvement Project.

Project Funding

The project is supported by two major external funding sources:

- **\$1,893,476.00** – *Resilient Florida Grant Program* (Florida Department of Environmental Protection)
- **\$1,325,697.00** – *Florida Department of Transportation (FDOT) Local Agency Program (LAP)*, administered in partnership with the *Broward Metropolitan Planning Organization (MPO)*

Combined with City matching funds, these grants support construction of new sidewalks, swales, and drainage infrastructure to improve pedestrian safety, stormwater performance, and neighborhood connectivity for all members of our community.

To date, the City has awarded contracts and expended \$714,840 in local funds for design and construction engineering inspection (CEI) services. These expenditures are not reimbursable and would be lost if the project were canceled.

Grant and Contractual Obligations with Granting Agencies

The City's FDOT LAP Agreement and Resilient Florida Grant Agreement are binding, performance-based contracts that require completion of the approved scope within specific timelines and in accordance with state and federal regulations.

Canceling or substantially modifying the project at this stage would constitute a default under both agreements, resulting in the following:

- Repayment of all disbursed grant funds to FDOT and FDEP.
- Forfeiture of all remaining grant balances and loss of reimbursement eligibility.
- Loss of \$385,850 in design costs that have already been expended and cannot be recovered.
- Termination costs and potential claims under the awarded construction and CEI contracts.
- Disqualification from future FDOT LAP, MPO, and Resilient Florida funding opportunities.
- Significant damage to the City’s credibility with state and regional funding partners.

Following direction from the City Commission, staff has contacted both FDOT and FDEP to confirm whether removal of sidewalk elements from the project could be considered as a scope modification. Both agencies have confirmed that such a change is not permissible. The installation of sidewalks is a primary element of the approved scope under both the FDOT LAP Agreement and the Resilient Florida Grant, and is integrated into the project’s stormwater and drainage design. Removing sidewalks from the project would invalidate the approved plans, environmental documentation, and cost participation agreements, triggering a full withdrawal and repayment of grant funds.

Under FDOT LAP requirements, awarded projects must be completed as approved. Reallocation of funds to another corridor or project is not permitted. Any modification would require full withdrawal from the existing agreements and submission of new competitive applications, resulting in forfeiture of funding and significant delays.

Construction Contract and Scope

The project is fully designed, permitted, competitively bid, and awarded.

CEI Contract: Carnahan Proctor and Cross, Inc. – \$328,990 (awarded August 6, 2025)

Construction Contract: FG Construction, LLC – \$5,185,893.42 (awarded August 6, 2025)

Canceling the project at this stage would trigger repayment obligations, contract termination costs, and potential breach-of-contract liabilities.

Commission Actions to Date and Public Meetings

The NE 13th Avenue project has been authorized and advanced through multiple City Commission actions since 2017:

- **October 24, 2017:** NE 13th Avenue Project Community Meeting
- **November 1, 2017:** Resolution authorizing submittal of the CSLIP grant application for NE 13th Avenue Improvements.
- **November 7, 2018:** Resolution of Support for programming the project under the MPO’s CSLIP or LAP programs.
- **December 11, 2018:** Public Input Meeting for NE 13 Ave Recreational Trails Program Grant

- **May 19, 2021:** Resolution of Support for Grant Application Submissions for the 2021 Hazard Mitigation Grant Program Cycle.
- **August 20, 2021:** Public Notice for Opportunity to Comment on NE 13 Ave Project Posted; No comments received during comment period.
- **July 20, 2022:** Award of Design Phase 1 – \$145,250.
- **September 20, 2023:** Award of Design Phase 2 – \$240,600.
- **August 16, 2024:** Resolution Executing the LAP Agreement for Construction.
- **July 29, 2025:** Corals of Oakland Park Neighborhood Association (COPNA) Meeting
- **August 6, 2025:** Award of CEI Services – \$328,990.
- **August 6, 2025:** Award of Construction Contract – \$5,185,893.42.

Project Policy Context and Community Impact

The NE 13th Avenue Improvements Project aligns with the goals of the Oakland Park Comprehensive Plan 2045, Citywide Mobility Study, and Capital Improvement Program, advancing the City’s commitment to safety, multimodal transportation, and stormwater resilience.

Multimodal transportation is central to Oakland Park’s future growth and economic stability. Building a connected pedestrian network ensures that residents of all ages and abilities, regardless of mobility, income, or access to a vehicle, can move safely throughout the community. The NE 13th Avenue improvements strengthen this system by closing a key network gap, linking neighborhoods to downtown, schools, parks, and transit routes. These investments promote equity, inclusion, and long-term community vitality by allowing every individual to remain connected to the broader city fabric.

Summary & Next Steps

The NE 13th Avenue Sidewalk and Drainage Improvements Project remains consistent with the City Commission’s 2017 authorization and fulfills multiple City priorities related to safety, connectivity, and resilience.

- Canceling or materially altering the project at this stage would:
- Require repayment of all grant funds to FDOT and FDEP;
- Forfeit more than **\$3.2 million** in external funding;
- Expose the City to termination costs and breach-of-contract liabilities; and
- Compromise the City’s eligibility for future grant programs and its credibility with state and federal partners.

This is a long-planned investment in the City’s multimodal transportation network that ensures all residents, regardless of mobility or income, can move safely and remain connected to schools, businesses, parks, and the downtown core. Moving forward as planned preserves the City’s fiscal integrity,

demonstrates responsible stewardship of public funds, and reinforces Oakland Park's commitment to creating a connected, safe, and resilient community for generations to come.

Attached to this memorandum is a draft of a letter from the City Manager that will be mailed to all residents and homeowners within the project area. This letter acknowledges the concerns expressed by some residents, explains the importance of the drainage and multi-modal elements of the project, and the granting agency requirements to move forward with the project as originally authorized. As part of the letter, residents are encouraged to reach out to the staff assigned to assist with this project:

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We are committed to doing everything possible we can to mitigate impacts to landscaping and other amenities on properties where sidewalks will be installed as part of this crucial project.